

Journal of the Senate

TWENTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 17, 2026, 10:00 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by guest chaplain, Doug Henkle:

Gracious Heavenly Father, thank You for Your presence in the Kansas Senate today. Remind this body that they have come together here, to serve the people of Kansas by whom they have been elected, Remind them they are not here just because they want to be, but because they submitted themselves to the will of the people, A majority in their districts, at least the majority of those who voted, believe that each had good character, credentials and qualifications to be trusted with the state's welfare. As servants of the people, cause them to be diligent, faithful and humble.

Thank You for Your calling on their lives and for Your overwhelming love for each one here. Jesus, keep them ever mindful of Your command to love one another as You have loved us. I pray that You would cause a bond of common purpose, the welfare of Kansans, to unite this body, in spite of strongly held, differing views.

I pray Your peace would be upon this chamber. 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 would fix our thoughts on You that we might experience Your perfect peace.

I pray for President Masterson, Vice President Shallenburger, Majority Leader Blasi and Minority Leader Sykes as well as each member of this body. Bless them with Your wisdom and Your peace.

Above all else, I pray that Your will would be done in this chamber as it is in Heaven. In the name of Jesus, who holds all power in Heaven and earth, Amen!

The Pledge of Allegiance was led by President Masterson.

POINT OF PERSONAL PRIVILEGE

Senator Haley rose on a Point of Personal Privilege to introduce Christal Watson, Mayor of the Unified Government of Wyandotte County, Kansas City, Kansas, ("U.G.") and Evelyn Hill, Commissioner in the Unified Government of Wyandotte County, Kansas City, Kansas ("U.G.").

Senator Hill rose on a Point of Personal Privilege and submitted the following remarks: Colleagues, it brings me great pleasure to have before us members of the 5A state champion football team from Salina Central High School. High School athletics can bring families together. The Salina Central Mustangs have a couple of unique

father-son combinations. Salina Mustang head coach Mark Sandbo comes by winning state championships naturally following the example of his father the late Gary Sandbo who won a state football championship as head coach of the Lindsborg Swedes. Mark and Gary are one of only 3 father-son combinations that have won state championships. Coach Mark Sandbo was named the coach of the year by several organizations including being named the all class coach of the year by Sports in Kansas. Assistant Coach Tony Chesney is with us today and he also was named the Sports in Kansas assistant coach of the year. This team was an offensive powerhouse setting records in the most offensive yards, most touchdowns and the least number of turnovers lost. We have 5 senior players with us today they are (and please stand): Saijon Mills - Offensive lineman Bodie Rodriguez -- Wide Receiver Jesus Delgado -- Linebacker Grayton Gross -- Linebacker Isak Howe -- Safety Isak is a part of the second father/son combinations I wanted to mention. His dad is our own Steven Howe who represents the 71st district in the House. This is the 7th time the Salina Central Mustangs have won the State Football Champions. Join me in Congratulating the Mustangs!

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 513, AN ACT concerning child care subsidy; relating to the Kansas department for children and families and the Kansas office of early childhood; directing such department, in consultation with such office, to issue a request for information and a request for proposal for the development, procurement and implementation of software to provide child care subsidy payments to child care providers; requiring reports to the legislature on such development, procurement and implementation, 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 512**.

Federal and State Affairs: **HB 2448**.

Judiciary: **HB 2653**.

Transportation: **HB 2416**.

Ways and Means: **SB 510, SB 511**.

Under the authority of the President, Vice President Tim Shallenburger referred **HCR 5031** to the Calendar under the heading of **General Orders**.

MESSAGES FROM THE GOVERNOR

REGARDING VETO OF HOUSE SUBSTITUTE FOR SENATE BILL 244

This poorly drafted bill will have numerous and significant consequences far beyond the intent to limit the right for trans people to use the appropriate bathroom. Under this bill: If your grandfather is in a nursing home in a shared room, as a granddaughter, you would not be able to visit him. If your wife is in a shared hospital room, as a husband, you would not be able to visit her. If your sister is living in a dorm at K-State, as a brother, you would not be able to visit her in her room. If you feel you have to accompany your nine-year-old daughter to the restroom at a sporting event, as a father, you would have to either enter the women's restroom with her or let her use the

restroom alone. I believe the Legislature should stay out of the business of telling Kansans how to go to the bathroom and instead stay focused on how to make life more affordable for Kansans. Therefore, pursuant to Article 2, Section 14(a) of the Constitution of the State of Kansas, I hereby veto **House Substitute for Senate Bill 244**.

LAURA KELLY, *Governor* (February 16, 2026)

AN ACT concerning identification of biological sex; requiring the designation of multiple-occupancy private spaces in public buildings for use by only one sex; imposing criminal and civil penalties for violations; providing a cause of action for individuals aggrieved by an invasion of privacy or other harm when accessing a multiple-occupancy private space; amending the women's bill of rights; defining the term "gender" to mean biological sex at birth for purposes of statutory construction; directing the director of the division of vehicles to invalidate and reissue driver's licenses when necessary to correct the gender identification on such licenses; directing the office of vital statistics to invalidate and reissue birth certificates when necessary to correct the sex identification on such certificates; removing the definition of "gender" from the help not harm act; amending K.S.A. 8-234a and K.S.A. 2025 Supp. 8-243, 65-28,137 and 77-207 and repealing the existing sections.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2540, HB 2622, HB 2711, HB 2733, HB 2615**.

Announcing adoption of **HCR 5031**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2540, HB 2615, HB 2622, HB 2711, HB 2733; HCR 5031 were thereupon introduced and read by title.

CONSIDERATION OF APPOINTMENTS

By the Governor

On the appointment to the:

State Banking Board:

Tonya Barta, Term ends March 15, 2029

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust Goudeau, Francisco, Gossage, Haley, Hill, Holscher, Klemp, Kloos, Masterson, Miller, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Jared Brown, Term ends March 15, 2028

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust Goudeau, Francisco, Gossage, Haley, Hill, Holscher, Klemp, Kloos, Masterson, Miller, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Darren Gragg, Term ends March 15, 2029

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust Goudeau, Francisco, Gossage, Haley, Hill, Holscher, Klemp, Kloos, Masterson, Miller, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Development Finance Authority:

Liz Miller, Term ends March 15, 2027

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust Goudeau, Francisco, Gossage, Haley, Hill, Holscher, Klemp, Kloos, Masterson, Miller, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Warren.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Jacinda Zerr, Term ends March 15, 2028

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust Goudeau, Francisco, Gossage, Haley, Hill, Holscher, Klemp, Kloos, Masterson, Miller, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Warren.

The appointment was confirmed.

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 Owens in the chair.

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

SB 325, SB 335, SB 356, SB 391, SB 392, SB 408, SB 413, SB 445, SB 448 be passed.

SB 368 be passed as amended by Committee of the Whole.

SB 65, SB 353, SB 380, SB 390, SB 418, SB 425, SB 426, SB 427; HB 2274 be passed amended by adoption of the committee reports.

SB 317, SB 372, SB 379, SB 459; HB 2223, HB 2329 be passed amended by adoption of the committee reports and as further amended by the Committee of the Whole.

COMMITTEE OF THE WHOLE ACTIONS

SB 65 be amended by adoption of the committee amendments.

SB 317 be amended by adoption of the committee amendments, be further amended by motion of Senator Titus; on page 4, in line 21, by striking "shall include" and inserting "includes";

On page 7, in line 12, after "expanding" by inserting "residential,";
On page 8, in line 21, by striking "shall" and inserting "can"; in line 27, by striking the comma and inserting "and"

SB 325 be passed.

SB 335 be passed.

SB 353 be amended by adoption of the committee amendments.

SB 356 be passed.

SB 368 be amended by motion of Senator Tyson; on page 2, in line 42, after the period by inserting "In no event shall the subtraction modification for each taxable year exceed \$5,000 for an individual or \$10,000 for a married couple filing a joint return.";

On page 14, in line 17, after "income" by inserting "and in an amount not to exceed \$5,000 for an individual or \$10,000 for a married couple filing a joint return"

SB 372 be amended by adoption of the committee amendments, be further amended by motion of Senator Warren; on page 1, in line 16, after "device" by inserting "and creates or maintains an account with an app store provider"

SB 379 be amended by adoption of the committee amendments, be further amended by motion of Senator Francisco; on page 3, in line 12, by striking "determine" and inserting "make determinations of"; in line 14, by striking "chairperson" and inserting "executive director"; in line 18, by striking all after "The"; in line 19, by striking all before "shall" and inserting "executive director"; in line 24, by striking all after the period; by striking all in line 25; in line 26, by striking all before "In"

And, **SB 379** be further amended by motion of Senator Claeys; on page 2, following line 8, by inserting:

"(3) The minimum training standards established pursuant to this subsection shall include minimum 911 telecommunicator-cardiopulmonary resuscitation training and continuing education instruction that uses current, nationally recognized emergency cardiovascular care guidelines in high-quality telecommunicator-cardiopulmonary resuscitation. Such training and instruction shall incorporate recognition protocols for out-of-hospital cardiac arrest and compression-only cardiopulmonary resuscitation

instructions for callers.

(4) Commencing on January 1, 2028, every PSAP shall establish policies and procedures to require each 911 telecommunicator that provides dispatch for emergency medical conditions as part of such telecommunicator's regular duties to comply with the minimum training standards established pursuant to this subsection for telecommunicator-cardiopulmonary resuscitation.";

On page 1, in the title, in line 11, after the semicolon by inserting "requiring the establishment of minimum training standards for telecommunicator-cardiopulmonary resuscitation and requiring PSAPs to comply with such training standards on and after January 1, 2028;"

SB 380 be amended by adoption of the committee amendments.

SB 390 be amended by adoption of the committee amendments.

SB 391 be passed.

SB 392 be passed.

SB 408 be passed.

SB 413 be passed.

SB 418 be amended by adoption of the committee amendments.

SB 425 be amended by adoption of the committee amendments.

SB 426 be amended by adoption of the committee amendments.

SB 427 be amended by adoption of the committee amendments.

SB 445 be passed.

SB 448 be passed.

SB 459 be amended by adoption of the committee amendments, be further amended by motion of Senator Blasi; on page 14, in line 22, by striking "three" and inserting "two"; also in line 22, by striking all after "be"; in line 23, by striking all before the period and inserting "from the same congressional district"

HB 2223 be amended by adoption of the committee amendments, be further amended by motion of Senator Gossage; on page 4, in line 12, by striking the second "and" and inserting a comma; in line 13, after "capsulotomy" by inserting "and laser trabeculoplasty";

On page 16, in line 4, by striking the second comma and inserting "and"; also in line 4, by striking all after "trabeculoplasty"; also in line 5, by striking all before "with"

A motion by Senator Clifford to further amend **HB 2223** failed.

HB 2274 be amended by adoption of the committee amendments.

HB 2329 be amended by adoption of the committee amendments, be further amended by motion of Senator Claeys; on page 2, in line 37, after the second "and" by inserting "between July 1, 2026, and July 1, 2030,";

On page 19, in line 5, after "(a)" by inserting "Between July 1, 2026, and July 1, 2030,"; in line 9, by striking the first "and" and inserting a comma; also in line 9, after "(12)" by inserting "or (a)(13)"; also in line 9, after the period by inserting "On and after July 1, 2030, the secretary of corrections may contract for use of not more than 50 non-

foster home beds in youth residential facilities for placement of juvenile offenders pursuant to K.S.A. 38-2361(a)(10), (a)(12) or (a)(13), and amendments thereto.";

On page 26, in line 14, after "(f)" by inserting "In addition to the report required by subsection (e), on or before February 1, 2030, the juvenile justice oversight committee shall submit a report to the legislature evaluating the effectiveness and outcomes of placement of juvenile offenders in youth residential facilities. Such report shall include a recommendation of whether to increase, modify or discontinue expenditures made for placement of juvenile offenders in youth residential facilities.

(g)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 27, in line 9, after the period by inserting "The provisions of this paragraph shall expire on July 1, 2030.";

On page 28, in line 9, after the period by inserting "No expenditure shall be made from the evidence-based programs account of the state general fund for non-foster home beds in youth residential facilities for placement of juvenile offenders after July 1, 2030.";

On page 1, in the title, in line 8, after "placements" by inserting "between July 1, 2026, and July 1, 2030"; in line 16, after "facilities" by inserting "prior to July 1, 2030"

A motion by Senator Claeys to further amend **HB 2329** failed.

ACTION ON VETO MESSAGE

Senator Warren moved that **H Sub SB 244** be passed notwithstanding the Governor's veto.

AN ACT concerning identification of biological sex; requiring the designation of multiple-occupancy private spaces in public buildings for use by only one sex; imposing criminal and civil penalties for violations; providing a cause of action for individuals aggrieved by an invasion of privacy or other harm when accessing a multiple-occupancy private space; amending the women's bill of rights; defining the term "gender" to mean biological sex at birth for purposes of statutory construction; directing the director of the division of vehicles to invalidate and reissue driver's licenses when necessary to correct the gender identification on such licenses; directing the office of vital statistics to invalidate and reissue birth certificates when necessary to correct the sex identification on such certificates; removing the definition of "gender" from the help not harm act; amending K.S.A. 8-234a and K.S.A. 2025 Supp. 8-243, 65-28,137 and 77-207 and repealing the existing sections.

On roll call, the vote was: Yeas 31; Nays 9; Present and Passing 0; Absent or Not Voting 0.

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

Nays: Corson, Faust Goudeau, Francisco, Haley, Holscher, Miller, Pettey, Schmidt, Sykes.

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 the motion to override the Governor’s veto of **SB 244**. It was said that this bill would bring clarity, yet defining “Gender” to be the same as “Sex” brings confusion rather than clarity. Statements that the prohibitions on bathroom use would make some individuals feel safer disregards the feelings of others who would feel much less safe. No evidence has been given that any driver’s license issued prior to July 1, 2026, that identifies the gender of the individual in a manner that is contrary to the definition their biological sex, has created a problem. On this day as we consider what we might give up for Lent, I hope we consider giving up fear and, as we share with others, give those others love.—MARCI FRANCISCO

This body continues to debate and pass legislation that places a hefty financial burden on our communities without providing them with additional resources. Kansas stands at a pivotal moment. We are hosting the World Cup this summer and my community will be hosting Argentina, #1 soccer team in the world. Kansas could possibly host more teams than any other state. We are being put in the global spotlight. The Kansas legislature should be focused on job creation, strengthening our workforce, and attracting and retaining top talent. Where one goes to the bathroom does not grow our economy.—PAT PETTEY

Senator Haley requests the record to show he concurs with the "Explanation of Vote" offered by Senator Pettey on **H Sub SB 244**.

FINAL ACTION ON CONSENT CALENDAR

SB 473, AN ACT concerning real property; relating to the conveyance of certain property in Wabaunsee county; authorizing Audubon of Kansas to convey such property; requiring any deeds and conveyances related to such property be reviewed and approved by the state historical society; amending K.S.A. 75-2731 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, Argabright, Billinger, Blasi, Blew, Bowers, Bowser, Claeys, Clifford, Corson, Dietrich, Erickson, Fagg, Faust Goudeau, Francisco, Gossage, Haley, Hill, Holscher, Klemp, Kloos, Masterson, Miller, Murphy, Owens, Peck, Petersen, Pettey, Rose, Ryckman, Schmidt, Shallenburger, Shane, Starnes, Sykes, Thomas, Thompson, Titus, Tyson, Warren.

The bill passed.

CHANGE OF REFERENCE

The President withdrew **SB 302** 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 362** 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 **Federal and State Affairs** recommends **SB 452** be amended on page 1, following line 11, by inserting:

"New Section 1. (a) Unlawful approach of a first responder is knowingly:

(1) Approaching or remaining within 25 feet of an individual whom the person knows or reasonably should have known is a first responder;

(2) while such first responder is engaged in the performance of such first responder's duties;

(3) after receiving a visual or audible signal not to approach or remain within 25 feet of such first responder given by a first responder because of a reasonable belief, under the totality of the circumstances, that separation is necessary for the safety of any person or property; and

(4) causing such first responder to:

(A) Be distracted from performing such first responder's duties; or

(B) have an increased level of concern of physical harm to any person or damage to property.

(b) Unlawful approach of a first responder is a class B person misdemeanor.

(c) As used in this section:

(1) "First responder" means a law enforcement officer, an emergency medical services provide, as defined in K.S.A. 65-6112, and amendments thereto, or a firefighter as defined in K.S.A. 40-1709, and amendments thereto; and

(2) "law enforcement officer" means the same as defined in K.S.A. 21-5111, and amendments thereto, and any federal law enforcement officer as defined in 5 U.S.C. § 8401 or 6 U.S.C. § 271.

(d) This section shall be a part of and supplemental to the Kansas criminal code.;

On page 4, in line 33, after "including" by inserting "any such"; also in line 33, by striking "owed" and inserting "owned";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "creating the crime of unlawful approach of a first responder and providing penalties therefor.;" and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **SB 55** be amended on page 1, in line 10, by striking "or commercial"; in line 18, by striking "or"; in line 19, by striking "commercial"; in line 25, by striking "or commercial"; by striking all in lines 29 through 36;

By striking all on pages 2 through 12;

On page 13, by striking all in lines 1 through 27;

Also, on page 13, following line 27, by inserting:

"Sec. 2. K.S.A. 2025 Supp. 40-2404 is hereby amended to read as follows: 40-2404. The following are hereby defined as unfair methods of competition and unfair or deceptive acts or practices in the business of insurance:

(1) *Misrepresentations and false advertising of insurance policies.* Making, issuing, circulating or causing to be made, issued or circulated, any estimate, illustration, circular, statement, sales presentation, omission or comparison that:

(a) Misrepresents the benefits, advantages, conditions or terms of any insurance policy;

(b) misrepresents the dividends or share of the surplus to be received on any

insurance policy;

(c) makes any false or misleading statements as to the dividends or share of surplus previously paid on any insurance policy;

(d) is misleading or is a misrepresentation as to the financial condition of any person, or as to the legal reserve system upon which any life insurer operates;

(e) uses any name or title of any insurance policy or class of insurance policies misrepresenting the true nature thereof;

(f) is a misrepresentation for the purpose of inducing or tending to induce the lapse, forfeiture, exchange, conversion or surrender of any insurance policy;

(g) is a misrepresentation for the purpose of effecting a pledge or assignment of or effecting a loan against any insurance policy; or

(h) misrepresents any insurance policy as being shares of stock.

(2) *False information and advertising generally.* Making, publishing, disseminating, circulating or placing before the public, or causing, directly or indirectly, to be made, published, disseminated, circulated or placed before the public, in a newspaper, magazine or other publication, or in the form of a notice, circular, pamphlet, letter or poster, or over any radio or television station, or in any other way, an advertisement, announcement or statement containing any assertion, misrepresentation or statement with respect to the business of insurance or with respect to any person in the conduct of such person's insurance business, that is untrue, deceptive or misleading.

(3) *Defamation.* Making, publishing, disseminating or circulating, directly or indirectly, or aiding, abetting or encouraging the making, publishing, disseminating or circulating of any oral or written statement or any pamphlet, circular, article or literature that is false, or maliciously critical of or derogatory to the financial condition of any person, and that is calculated to injure such person.

(4) *Boycott, coercion and intimidation.* Entering into any agreement to commit, or by any concerted action committing, any act of boycott, coercion or intimidation resulting in or tending to result in unreasonable restraint of the business of insurance, or by any act of boycott, coercion or intimidation monopolizing or attempting to monopolize any part of the business of insurance.

(5) *False statements and entries.* (a) Knowingly filing with any supervisory or other public official, or knowingly making, publishing, disseminating, circulating or delivering to any person, or placing before the public, or knowingly causing directly or indirectly, to be made, published, disseminated, circulated, delivered to any person, or placed before the public, any false material statement of fact as to the financial condition of a person.

(b) Knowingly making any false entry of a material fact in any book, report or statement of any person or knowingly omitting to make a true entry of any material fact pertaining to the business of such person in any book, report or statement of such person.

(6) *Stock operations and advisory board contracts.* Issuing or delivering or permitting agents, officers or employees to issue or deliver, agency company stock or other capital stock, or benefit certificates or shares in any common-law corporation, or securities or any special or advisory board contracts or other contracts of any kind promising returns and profits as an inducement to insurance. Nothing herein shall prohibit the acts permitted by K.S.A. 40-232, and amendments thereto.

(7) *Unfair discrimination.* (a) Making or permitting any unfair discrimination

between individuals of the same class and equal expectation of life in the rates charged for any contract of life insurance or life annuity or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of such contract.

(b) Making or permitting any unfair discrimination between individuals of the same class and of essentially the same hazard in the amount of premium, policy fees or rates charged for any policy or contract of accident or health insurance or in the benefits payable thereunder, in any of the terms or conditions of such contract or in any other manner ~~whatever~~.

(c) Refusing to insure, refusing to continue to insure, limiting the amount, extent or kind of coverage available to an individual or charging an individual a different rate for the same coverage solely because of blindness or partial blindness. With respect to all other conditions, including the underlying cause of the blindness or partial blindness, persons who are blind or partially blind shall be subject to the same standards of sound actuarial principles or actual or reasonably anticipated experience as are sighted persons. Refusal to insure includes denial by an insurer of disability insurance coverage on the grounds that the policy defines "disability" as being presumed in the event that the insured loses such person's eyesight. However, an insurer may exclude from coverage disabilities consisting solely of blindness or partial blindness when such condition existed at the time the policy was issued.

(d) Refusing to insure, refusing to continue to insure or limiting the amount, extent or kind of coverage available for accident and health and life insurance to an applicant who is the proposed insured, charging a different rate for the same coverage, excluding or limiting coverage for losses or denying a claim incurred by an insured as a result of abuse based on the fact that the applicant who, is the proposed insured, is, has been, or may be the subject of domestic abuse, except as provided in subsection ~~(7)(d)(v)~~ (7)(d)(vi).

(i) As used in this paragraph, "abuse" means one or more acts defined in K.S.A. 60-3102, and amendments thereto, between family members, current or former household members or current or former intimate partners.

~~(+)(ii)~~ An insurer shall not ask an applicant for life or accident and health insurance who is the proposed insured if the individual is, has been or may be the subject of domestic abuse, or seeks, has sought or had reason to seek medical or psychological treatment or counseling specifically for abuse, protection from abuse or shelter from abuse.

~~(+)(iii)~~ Nothing in this section shall be construed to prohibit a person from declining to issue an insurance policy insuring the life of an individual who is, has been or has the potential to be the subject of abuse if the perpetrator of the abuse is the applicant or would be the owner of the insurance policy.

~~(+)(iv)~~ No insurer that issues a life or accident and health policy to an individual who is, has been or may be the subject of domestic abuse shall be subject to civil or criminal liability for the death or any injuries suffered by that individual as a result of domestic abuse.

~~(+)(v)~~ No person shall refuse to insure, refuse to continue to insure, limit the amount, extent or kind of coverage available to an individual or charge a different rate for the same coverage solely because of physical or mental condition, except where the refusal, limitation or rate differential is based on sound actuarial principles.

~~(+)(vi)~~ Nothing in this section shall be construed to prohibit a person from

underwriting or rating a risk on the basis of a preexisting physical or mental condition, even if such condition has been caused by abuse, provided that:

(A) The person routinely underwrites or rates such condition in the same manner with respect to an insured or an applicant who is not a victim of abuse;

(B) the fact that an individual is, has been or may be the subject of abuse may not be considered a physical or mental condition; and

(C) such underwriting or rating is not used to evade the intent of this section or any other provision of the Kansas insurance code.

~~(vii)~~(vii) Any person who underwrites or rates a risk on the basis of preexisting physical or mental condition as set forth in subsection ~~(7)(d)(v)~~ (7)(d)(vi), shall treat such underwriting or rating as an adverse underwriting decision pursuant to K.S.A. 40-2,112, and amendments thereto.

~~(vii)~~(viii) The provisions of this paragraph shall apply to all policies of life and accident and health insurance issued in this state after the effective date of this act and all existing contracts that are renewed on or after the effective date of this act.

(e) Refusing to insure, or refusing to continue to insure, or limiting the amount, extent or kind of coverage available for life insurance to an individual, or charging an individual a different rate for the same coverage, solely because of such individual's status as a living organ donor. With respect to all other conditions, persons who are living organ donors shall be subject to the same standards of sound actuarial principles or actual or reasonably anticipated experience as are persons who are not organ donors.

(8) *Rebates.* (a) Except as otherwise expressly provided by law, knowingly permitting, offering to make or making any contract of life insurance, life annuity or accident and health insurance, or agreement as to such contract other than as plainly expressed in the insurance contract issued thereon; paying, allowing, giving or offering to pay, allow or give, directly or indirectly, as inducement to such insurance, or annuity, any rebate of premiums payable on the contract, any special favor or advantage in the dividends or other benefits thereon, or any valuable consideration or inducement ~~whatever~~ not specified in the contract; or giving, selling, purchasing or offering to give, sell or purchase as inducement to such insurance contract or annuity or in connection therewith, any stocks, bonds or other securities of any insurance company or other corporation, association or partnership, or any dividends or profits accrued thereon, or anything of value whatsoever not specified in the contract.

(b) Nothing in subsection (7)(a) or (8)(a) shall be construed as including within the definition of discrimination or rebates any of the following practices:

(i) In the case of any contract of life insurance or life annuity, paying bonuses to policyholders or otherwise abating their premiums in whole or in part out of surplus accumulated from nonparticipating insurance. Any such bonuses or abatement of premiums shall be fair and equitable to policyholders and for the best interests of the company and its policyholders;

(ii) in the case of life insurance policies issued on the industrial debit plan, making allowance to policyholders who have continuously for a specified period made premium payments directly to an office of the insurer in an amount that fairly represents the saving in collection expenses;

(iii) readjustment of the rate of premium for a group insurance policy based on the loss or expense experience thereunder, at the end of the first or any subsequent policy year of insurance thereunder, which may be made retroactive only for such policy year;

(iv) engaging in an arrangement that would not violate section 106 of the bank holding company act amendments of 1972, as interpreted by the board of governors of the federal reserve system or section 5(q) of the home owners' loan act;

(v) the offer or provision by insurers or producers, by or through employees, affiliates or third-party representatives, of value-added products or services at no or reduced cost when such products or services are not specified in the policy of insurance if the product or service:

- (A) Relates to the insurance coverage; and
- (B) is primarily designed to satisfy one or more of the following:
 - (1) Provide loss mitigation or loss control;
 - (2) reduce claim costs or claim settlement costs;
 - (3) provide education about liability risks or risk of loss to persons or property;
 - (4) monitor or assess risk, identify sources of risk or develop strategies for eliminating or reducing risk;
 - (5) enhance health;
 - (6) enhance financial wellness through items such as education or financial planning services;
 - (7) provide post-loss services;
 - (8) (a) incentivize behavioral changes to improve the health or reduce the risk of death or disability of a customer;
 - (b) as used in this section, "customer" means a policyholder, potential policyholder, certificate holder, potential certificate holder, insured, potential insured or applicant; or
 - (9) assist in the administration of the employee or retiree benefit insurance coverage.

(C) The cost to the insurer or producer offering the product or service to any given customer shall be reasonable in comparison to such customer's premiums or insurance coverage for the policy class.

(D) If the insurer or producer is providing the product or service offered, the insurer or producer shall ensure that the customer is provided with contact information, upon request, to assist the customer with questions regarding the product or service.

(E) The commissioner may adopt rules and regulations when implementing the permitted practices set forth in this section to ensure consumer protection. Such rules and regulations, consistent with applicable law, may address, among other issues, consumer data protections and privacy, consumer disclosure and unfair discrimination.

(F) The availability of the value-added product or service shall be based on documented objective criteria and offered in a manner that is not unfairly discriminatory. The documented criteria shall be maintained by the insurer or producer and produced upon request by the commissioner.

(G) (1) If an insurer or producer does not have sufficient evidence but has a good-faith belief that the product or service meets the criteria in subsection (8)(b)(v)(B), the insurer or producer may provide the product or service in a manner that is not unfairly discriminatory as part of a pilot or testing program for not more than one year. An insurer or producer shall notify the commissioner of such a pilot or testing program offered to consumers in this state prior to launching and may proceed with the program unless the commissioner objects within 21 days of notice.

(2) If the insurer or producer is unable to determine sufficient evidence within the one-year pilot or testing period, the insurer or producer may request that such pilot or

testing period be extended for such additional time as necessary to determine if the product or service meets the criteria described in subsection (8)(b)(v)(B). Upon such a request, the commissioner may grant an extension of a specified time.

(vi) An insurer or a producer may:

(A) Offer or give non-cash gifts, items or services, including meals to or charitable donations on behalf of a customer, in connection with the marketing, sale, purchase or retention of contracts of insurance, as long as the cost does not exceed an amount determined to be reasonable by the commissioner per policy year per term. The offer shall be made in a manner that is not unfairly discriminatory. The customer shall not be required to purchase, continue to purchase or renew a policy in exchange for the gift, item or service.

(B) Conduct raffles or drawings to the extent permitted by state law, as long as there is no financial cost to entrants to participate, the drawing or raffle does not obligate participants to purchase insurance, the prizes are not valued in excess of a reasonable amount determined by the commissioner and the drawing or raffle is open to the public. The raffle or drawing shall be offered in a manner that is not unfairly discriminatory. The customer shall not be required to purchase, continue to purchase or renew a policy in exchange for the gift, item or service.

(c) An insurer, producer or representative of an insurer or producer shall not offer or provide insurance as an inducement to the purchase of another policy.

(9) *Unfair claim settlement practices.* It is an unfair claim settlement practice if any of the following or any rules and regulations pertaining thereto are either committed flagrantly and in conscious disregard of such provisions, or committed with such frequency as to indicate a general business practice:

(a) Misrepresenting pertinent facts or insurance policy provisions relating to coverages at issue;

(b) failing to acknowledge and act reasonably promptly upon communications with respect to claims arising under insurance policies;

(c) failing to adopt and implement reasonable standards for the prompt investigation of claims arising under insurance policies;

(d) refusing to pay claims without conducting a reasonable investigation based upon all available information;

(e) failing to affirm or deny coverage of claims within a reasonable time after proof of loss statements have been completed;

(f) not attempting in good faith to effectuate prompt, fair and equitable settlements of claims in which liability has become reasonably clear;

(g) compelling insureds to institute litigation to recover amounts due under an insurance policy by offering substantially less than the amounts ultimately recovered in actions brought by such insureds;

(h) attempting to settle a claim for less than the amount to which a reasonable person would have believed that such person was entitled by reference to written or printed advertising material accompanying or made part of an application;

(i) attempting to settle claims on the basis of an application that was altered without notice to, or knowledge or consent of the insured;

(j) making claims payments to insureds or beneficiaries not accompanied by a statement setting forth the coverage under which payments are being made;

(k) making known to insureds or claimants a policy of appealing from arbitration

awards in favor of insureds or claimants for the purpose of compelling them to accept settlements or compromises less than the amount awarded in arbitration;

(l) delaying the investigation or payment of claims by requiring an insured, claimant or the physician of either to submit a preliminary claim report and then requiring the subsequent submission of formal proof of loss forms, both of which submissions contain substantially the same information;

(m) failing to promptly settle claims, where liability has become reasonably clear, under one portion of the insurance policy coverage in order to influence settlements under other portions of the insurance policy coverage; ~~or~~

(n) failing to promptly provide a reasonable explanation of the basis in the insurance policy in relation to the facts or applicable law for denial of a claim or for the offer of a compromise settlement; or

(o) solicitation or acceptance of an assignment, in whole or in part, of any post-loss insurance benefit under a residential property insurance policy pursuant to section 1, and amendments thereto.

(10) *Failure to respond to an inquiry.* An insurer's failing, upon receipt of any inquiry from the insurance department concerning a complaint or inquiry related to a particular matter, within 14 calendar days of receipt of such inquiry to furnish the department with an adequate response to such inquiry.

(11) *Failure to maintain complaint handling procedures.* Failure of any person, who is an insurer on an insurance policy, to maintain a complete record of all the complaints that it has received since the date of its last examination under K.S.A. 40-222, and amendments thereto, except that no such records shall be required for complaints received prior to the effective date of this act. The record shall indicate the total number of complaints, their classification by line of insurance, the nature of each complaint, the disposition of the complaints, the date each complaint was originally received by the insurer and the date of final disposition of each complaint. For purposes of this section, "complaint" means any written communication primarily expressing a grievance related to the acts and practices set out in this section.

(12) *Misrepresentation in insurance applications.* Making false or fraudulent statements or representations on or relative to an application for an insurance policy, for the purpose of obtaining a fee, commission, money or other benefit from any insurer, agent, broker or individual.

(13) *Statutory violations.* Any violation of any of the provisions of K.S.A. 40-216, 40-276a, 40-2,155 or 40-1515, and amendments thereto.

(14) *Disclosure of information relating to adverse underwriting decisions and refund of premiums.* Failing to comply with the provisions of K.S.A. 40-2,112, and amendments thereto, within the time prescribed in such section.

(15) *Rebates and other inducements in title insurance.* (a) No title insurance company or title insurance agent, or any officer, employee, attorney, agent or solicitor thereof, may pay, allow or give, or offer to pay, allow or give, directly or indirectly, as an inducement to obtaining any title insurance business, any rebate, reduction or abatement of any rate or charge made incident to the issuance of such insurance, any special favor or advantage not generally available to others of the same classification, or any money, thing of value or other consideration or material inducement. "Charge made incident to the issuance of such insurance" includes, without limitations, escrow, settlement and closing charges.

(b) No insured named in a title insurance policy or contract nor any other person directly or indirectly connected with the transaction involving the issuance of the policy or contract, including, but not limited to, mortgage lender, real estate broker, builder, attorney or any officer, employee, agent representative or solicitor thereof, or any other person may knowingly receive or accept, directly or indirectly, any rebate, reduction or abatement of any charge, or any special favor or advantage or any monetary consideration or inducement referred to in subsection (15)(a).

(c) Nothing in this section shall be construed as prohibiting:

(i) The payment of reasonable fees for services actually rendered to a title insurance agent in connection with a title insurance transaction;

(ii) the payment of an earned commission to a duly appointed title insurance agent for services actually performed in the issuance of the policy of title insurance; or

(iii) the payment of reasonable entertainment and advertising expenses.

(d) Nothing in this section prohibits the division of rates and charges between or among a title insurance company and its agent, or one or more title insurance companies and one or more title insurance agents, if such division of rates and charges does not constitute an unlawful rebate under the provisions of this section and is not in payment of a forwarding fee or a finder's fee.

(e) As used in subsections (15)(e) through (15)(i), unless the context otherwise requires:

(i) "Associate" means:

(A) Any firm, association, organization, partnership, business trust, corporation or other legal entity organized for profit in which a producer of title business is a director, officer or partner thereof, or owner of a financial interest;

(B) the spouse or any relative within the second degree by blood or marriage of a producer of title business who is a natural person;

(C) any director, officer or employee of a producer of title business or associate;

(D) any legal entity that controls, is controlled by, or is under common control with a producer of title business or associate ~~and, or~~

(E) any natural person or legal entity with whom a producer of title business or associate has any agreement, arrangement or understanding or pursues any course of conduct, the purpose or effect of which is to evade the provisions of this section.

(ii) "Financial interest" means any direct or indirect interest, legal or beneficial, where the holder thereof is or will be entitled to 1% or more of the net profits or net worth of the entity in which such interest is held. Notwithstanding the foregoing, an interest of less than 1% or any other type of interest shall constitute a "financial interest" if the primary purpose of the acquisition or retention of that interest is the financial benefit to be obtained as a consequence of that interest from the referral of title business.

(iii) "Person" means any natural person, partnership, association, cooperative, corporation, trust or other legal entity.

(iv) "Producer of title business" or "producer" means any person, including any officer, director or owner of 5% or more of the equity or capital or both of any person, engaged in this state in the trade, business, occupation or profession of:

(A) Buying or selling interests in real property;

(B) making loans secured by interests in real property; or

(C) acting as broker, agent, representative or attorney for a person who buys or sells

any interest in real property or who lends or borrows money with such interest as security.

(v) "Refer" means to direct or cause to be directed or to exercise any power or influence over the direction of title insurance business, whether or not the consent or approval of any other person is sought or obtained with respect to the referral.

(f) No title insurer or title agent may accept any order for, issue a title insurance policy to, or provide services to, an applicant if it knows or has reason to believe that the applicant was referred to it by any producer of title business or by any associate of such producer, where the producer, the associate, or both, have a financial interest in the title insurer or title agent to which business is referred unless the producer has disclosed to the buyer, seller and lender the financial interest of the producer of title business or associate referring the title insurance business.

(g)-(i) No title insurer or title agent may accept an order for title insurance business, issue a title insurance policy, or receive or retain any premium, or charge in connection with any transaction if: (A) The title insurer or title agent knows or has reason to believe that the transaction will constitute controlled business for that title insurer or title agent; and (B) 70% or more of the closed title orders of that title insurer or title agent during the 12 full calendar months immediately preceding the month in which the transaction takes place is derived from controlled business.

~~(ii) Paragraph (g) shall become effective on and after January 1, 2026.~~

(h) Within 90 days following the end of each business year, as established by the title insurer or title agent, each title insurer or title agent shall file with the department of insurance and any title insurer with which the title agent maintains an underwriting agreement, a report executed by the title insurer's or title agent's chief executive officer or designee, under penalty of perjury, stating the percent of closed title orders originating from controlled business. The failure of a title insurer or title agent to comply with the requirements of this section, at the discretion of the commissioner, shall be grounds for the suspension or revocation of a license or other disciplinary action, with the commissioner able to mitigate any such disciplinary action if the title insurer or title agent is found to be in substantial compliance with competitive behavior as defined by federal housing and urban development statement of policy 1996-2.

(i) (1) No title insurer or title agent may accept any title insurance order or issue a title insurance policy to any person if it knows or has reason to believe that such person was referred to it by any producer of title business or by any associate of such producer, where the producer, the associate, or both, have a financial interest in the title insurer or title agent to which business is referred unless the producer has disclosed in writing to the person so referred the fact that such producer or associate has a financial interest in the title insurer or title agent, the nature of the financial interest and a written estimate of the charge or range of charges generally made by the title insurer or agent for the title services. Such disclosure shall include language stating that the consumer is not obligated to use the title insurer or agent in which the referring producer or associate has a financial interest and shall include the names and telephone numbers of not less than three other title insurers or agents that operate in the county in which the property is located. If fewer than three insurers or agents operate in that county, the disclosure shall include all title insurers or agents operating in that county. Such written disclosure shall be signed by the person so referred and must have occurred prior to any commitment having been made to such title insurer or agent.

(2) No producer of title business or associate of such producer shall require, directly or indirectly, as a condition to selling or furnishing any other person any loan or extension thereof, credit, sale, property, contract, lease or service, that such other person shall purchase title insurance of any kind through any title agent or title insurer if such producer has a financial interest in such title agent or title insurer.

(3) No title insurer or title agent may accept any title insurance order or issue a title insurance policy to any person it knows or has reason to believe that the name of the title company was pre-printed in the sales contract, prior to the buyer or seller selecting that title company.

(4) Nothing in this paragraph shall prohibit any producer of title business or associate of such producer from referring title business to any title insurer or title agent of such producer's or associate's choice, and, if such producer or associate of such producer has any financial interest in the title insurer, from receiving income, profits or dividends produced or realized from such financial interest, if:

(a) Such financial interest is disclosed to the purchaser of the title insurance in accordance with paragraphs (i)(1) through (i)(4);

(b) the payment of income, profits or dividends is not in exchange for the referral of business; and

(c) the receipt of income, profits or dividends constitutes only a return on the investment of the producer or associate.

(5) Any producer of title business or associate of such producer who violates the provisions of paragraphs (i)(2) through (i)(4), or any title insurer or title agent who accepts an order for title insurance knowing that it is in violation of paragraphs (i)(2) through (i)(4), in addition to any other action that may be taken by the commissioner of insurance, shall be subject to a fine by the commissioner in an amount equal to five times the premium for the title insurance and, if licensed pursuant to K.S.A. 58-3034 et seq., and amendments thereto, shall be deemed to have committed a prohibited act pursuant to K.S.A. 58-3602, and amendments thereto, and shall be liable to the purchaser of such title insurance in an amount equal to the premium for the title insurance.

(6) Any title insurer or title agent that is a competitor of any title insurer or title agent that, subsequent to the effective date of this act, has violated or is violating the provisions of this paragraph, shall have a cause of action against such title insurer or title agent and, upon establishing the existence of a violation of any such provision, shall be entitled, in addition to any other damages or remedies provided by law, to such equitable or injunctive relief as the court deems proper. In any such action under this subsection, the court may award to the successful party the court costs of the action together with reasonable attorney fees.

(7) The commissioner shall also require each title agent to provide core title services as required by the real estate settlement procedures act.

(j) The commissioner shall adopt any rules and regulations necessary to carry out the provisions of this act.

(16) *Disclosure of nonpublic personal information.* (a) No person shall disclose any nonpublic personal information contrary to the provisions of title V of the Gramm-Leach-Bliley act of 1999, public law 106-102. The commissioner may adopt rules and regulations necessary to carry out this subsection. Such rules and regulations shall be consistent with and not more restrictive than the model regulation adopted on

September 26, 2000, by the national association of insurance commissioners entitled "Privacy of consumer financial and health information regulation."

(b) Nothing in this subsection shall be deemed or construed to authorize the promulgation or adoption of any regulation that preempts, supersedes or is inconsistent with any provision of Kansas law concerning requirements for notification of, or obtaining consent from, a parent, guardian or other legal custodian of a minor relating to any matter pertaining to the health and medical treatment for such minor.;

Also on page 13, in line 28, by striking "2024" and inserting "2025";

On page 1, in the title, in line 4, by striking "2024" and inserting "2025"; and the bill be passed as amended.

Also, **SB 232** be amended on page 1, in line 10, by striking "2024" and inserting "2025";

On page 2, in line 23, after "in" by inserting "United States dollar-denominated"; in line 27, by striking "security" and inserting "country"; in line 28, by striking the first "or" and inserting a comma; also in line 28, after "service" by inserting "or A- or better by Fitch ratings"; in line 30, after the first period by inserting "Investments shall only be allowed in a country that has never defaulted on short-term or long-term debt obligations.";

On page 4, in line 17, by striking "2024" and inserting "2025";

On page 1, in the title, in line 6, by striking "2024" and inserting "2025"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 375** be passed.

Also, **SB 415** be amended on page 1, in line 9, by striking all after "an"; in line 10, by striking all before "shall" and inserting "intentional action or a failure to act by a landlord that results in a dwelling unit being deemed uninhabitable by a governmental agency responsible for enforcement of a building, housing or fire code"; in line 17, after "(c)" by inserting "The provisions of this section shall not apply if the tenant caused or materially contributed to the condition causing the dwelling unit to be deemed uninhabitable.

(d)";

Also on page 1, following line 18, by inserting:

"(e) As used in this section, "failure to act" means the absence of reasonable corrective action to address a condition that materially affects the health and safety of the tenant after actual or constructive notice and reasonable opportunity to cure.";

Also on page 1, in line 19, by striking "(d)" and inserting "(f)";

Also on page 1, in the title, in line 3, by striking "involving action or inaction by a landlord that causes" and inserting "resulting in"; in line 4, by striking "to be considered" and inserting "being deemed"; also in line 4, after "uninhabitable" by inserting "by a governmental agency"; and the bill be passed as amended.

SB 487 be amended on page 1, in line 10, after "(a)" by inserting "(1) On and after July 1, 2028,"; in line 19, by striking "(b)" and inserting "(2)"; in line 21, by striking "ot Kansas bureau of investigation"; in line 24, by striking "(c)" by inserting "(b) On and after July 1, 2026,"; in line 25, after "fee" by inserting "of \$10"; in line 26, by striking all after the period; by striking all in line 27; in line 28, by striking all before "Such";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 2, following line 11, by inserting:

"Sec. 2. On and after July 1, 2028, section 1 of this act is hereby amended to read as follows: (a) ~~(1) On and after July 1, 2028,~~ The Kansas bureau of investigation shall provide a statewide offender registration system for registering law enforcement agencies to use when registering offenders under the Kansas offender registration act. Such system shall be used to maintain compliance with the Kansas offender registration act and ensure real-time delivery of offender relocation notifications. The Kansas bureau of investigation, in consultation with the Kansas sheriffs' association, shall provide each registering law enforcement agency and any state agency required to register offenders with access to the statewide offender registration system.

(2) Registering law enforcement agencies shall submit registration data collected pursuant to K.S.A. 22-4904, and amendments thereto, to the statewide offender registration system in a form and manner approved by the director of the Kansas bureau of investigation in consultation with the Kansas sheriffs' association.

~~(b) On and after July 1, 2026,~~ Offenders who are required to register shall remit payment of a technology fee ~~of \$10~~ to the sheriff's office at the time of registration as provided in K.S.A. 22-4905, and amendments thereto. The amount of such fee shall be fixed by rules and regulations adopted by the director of the Kansas bureau of investigation, except that such fee shall not exceed \$10. Such technology fee 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 offender registration technology fund.

(c) There is hereby created in the state treasury the offender registration technology fund. The director of the Kansas bureau of investigation shall administer the fund. All expenditures from the fund shall be for the purpose of developing and maintaining the statewide offender registration system. All expenditures from the offender registration technology 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 director of the Kansas bureau of investigation.

(d) The Kansas bureau of investigation shall be responsible for the costs of administering, purchasing and maintaining the statewide offender registration system used by registering law enforcement agencies.

(e) This section shall be a part of and supplemental to the Kansas offender registration act.

Sec. 3. K.S.A. 22-4903 is hereby amended to read as follows: 22-4903. (a) Violation of the Kansas offender registration act is the failure by an offender, as defined in K.S.A. 22-4902, and amendments thereto, to comply with any and all provisions of such act, including any and all duties set forth in K.S.A. 22-4905 through 22-4907, and amendments thereto. Any violation of the Kansas offender registration act which continues for more than 30 consecutive days shall, upon the 31st consecutive day, constitute a new and separate offense, and shall continue to constitute a new and separate offense every 30 days thereafter for as long as the violation continues.

(b) Aggravated violation of the Kansas offender registration act is violation of the Kansas offender registration act which continues for more than 180 consecutive days. Any aggravated violation of the Kansas offender registration act which continues for more than 180 consecutive days shall, upon the 181st consecutive day, constitute a new and separate offense, and shall continue to constitute a new and separate violation of the

Kansas offender registration act every 30 days thereafter, or a new and separate aggravated violation of the Kansas offender registration act every 180 days thereafter, for as long as the violation continues.

(c) (1) (A) Except as provided in subsection (c)(3), violation of the Kansas offender registration act is:

- ~~(A)~~(i) Upon a first conviction, a severity level 6 felony;
- ~~(B)~~(ii) upon a second conviction, a severity level 5 felony; and
- ~~(C)~~(iii) upon a third or subsequent conviction, a severity level 3 felony.

(B) Such violation shall be designated as a person or nonperson crime in accordance with the designation assigned to the underlying crime for which the offender is required to be registered under the Kansas offender registration act. If the offender is required to be registered under both a person and nonperson underlying crime, the violation shall be designated as a person crime.

(2) (A) Except as provided in subsection (c)(3), aggravated violation of the Kansas offender registration act is a severity level 3 felony.

(B) Such violation shall be designated as a person or nonperson crime in accordance with the designation assigned to the underlying crime for which the offender is required to be registered under the Kansas offender registration act. If the offender is required to be registered under both a person and nonperson underlying crime, the violation shall be designated as a person crime.

(3) (A) Violation of the Kansas offender registration act or aggravated violation of the Kansas offender registration act consisting only of failing to remit payment to the sheriff's office as required in K.S.A. 22-4905(l), and amendments thereto, is:

~~(A)~~(i) Except as provided in subsection (c)(3)(B), a class A misdemeanor if, ~~within 15 days of registration~~, full payment is not remitted to the sheriff's office at the time of registration;

~~(B)~~(ii) a severity level 9 felony if, ~~within 15~~ 20 calendar days of the most recent registration, two or more full payments have not been remitted to the sheriff's office.

(B) Such violation shall be designated as a person or nonperson crime in accordance with the designation assigned to the underlying crime for which the offender is required to be registered under the Kansas offender registration act. If the offender is required to be registered under both a person and nonperson underlying crime, the violation shall be designated as a person crime.

(C) If payment is not made at the time of registration pursuant to subparagraph (A) (i), the registering law enforcement agency may issue a notice to appear pursuant to K.S.A. 22-2408, and amendments thereto. If such payment is made within 20 calendar days of registration, the criminal charge shall be dismissed.

(d) Prosecution of violations of this section may be held:

- (1) In any county in which the offender resides;
- (2) in any county in which the offender is required to be registered under the Kansas offender registration act;

(3) in any county in which the offender is located during which time the offender is not in compliance with the Kansas offender registration act; or

(4) in the county in which any conviction or adjudication occurred for which the offender is required to be registered under the Kansas offender registration act.";

Also on page 2, in line 12, before "K.S.A" by inserting "On and after July 1, 2028,";

On page 9, in line 14, after the period by inserting "On and after July 1, 2028, such

offender shall remit such payment only in the county where the offender resides."; in line 16, by striking all after the second "payment"; in line 17, by striking "days" and inserting "at the time";

On page 10, in line 10, by striking "22-4904" and inserting "22-4903"; following line 10, by inserting:

"Sec. 7. On and after July 1, 2028, K.S.A. 22-4904 and section 1 of this act are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the semicolon, by inserting "authorizing a notice to appear to be issued for a violation of the act involving nonpayment of a fee;"; in line 6, after "K.S.A." by inserting "22-4903,"; also in line 6, after the second "and" by inserting "section 1 of this act and"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 271** be amended on page 2, in line 13, before the period by inserting ". Rules and regulations adopted by the secretary shall establish a sliding-fee scale that charges per child covered under the plan and the secretary shall not adopt rules and regulations that establish a sliding-fee scale that charges per family; and

(8) provides coverage to pregnant Kansas children provided that the secretary requests and receives verification of such pregnancy";

On page 3, in line 25, after the stricken material by inserting "If a family is otherwise eligible for coverage and pays all of the delinquent premiums owed, such child will again be eligible for coverage at the time of renewal."; in line 26, before "The" by inserting "(f)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

And the bill be passed as amended.

REPORT ON ENROLLED BILLS, CONCURRENT AND SENATE RESOLUTIONS

SCR 1615 reported correctly enrolled, properly signed and presented to the Secretary of State on February 17, 2026.

SR 1726 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 17, 2026.

On motion of Senator Blasi, the Senate adjourned until 10:00 a.m., Wednesday, February 18, 2026.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

