

Session of 2025

House Concurrent Resolution No. 5008

By Committee on Judiciary

Requested by Representative Wassinger on behalf of Representative B. Carpenter

1-28

A PROPOSITION to amend article 2 of the constitution of the state of Kansas by adding a new section thereto; providing ~~legislative oversight of rules and regulations adopted by executive branch agencies and officials.~~

for revision or revocation of
administrative rules and regulations

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate 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: Article 2 of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

Revision or revocation

"§ 31. ~~Legislative oversight of administrative rules and regulations.~~ (a) ~~In accordance with the legislature's power to authorize the adoption of administrative rules and regulations, the legislature shall oversee the adoption of such rules and regulations. The legislature may provide by law for the legislature to approve proposed rules and regulations and proposed amendments to existing rules and regulations prior to their becoming effective.~~

The People's duly elected or appointed representatives and senators may revise or revoke administrative rules and regulations, or any portion thereof, by adoption of a concurrent resolution

(b) ~~The legislature may revoke or suspend any rules and regulations, or any portion thereof, by adoption of a concurrent resolution if the legislature finds that such rules and regulations, or any portion thereof, are:~~

Strike all in lines 22-35

(1) ~~Obsolete;~~

(2) ~~not enforced by the executive branch agency or official charged with such enforcement;~~

(3) ~~not in compliance with the legislative intent of the authorizing statute;~~

(4) ~~in conflict with state law or with federal law or regulations;~~

(5) ~~a cause of harm to public safety or the economy during an emergency;~~

(6) ~~overly burdensome;~~

1 ~~(7) an unnecessary infringement on individual rights;~~
2 ~~(8) duplicative of existing requirements under state law or~~
3 ~~federal law or regulations; or~~
4 ~~(9) in the sole discretion of the legislature, not beneficial to~~
5 ~~the public good."~~

Strike in lines 1-5

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

8 "*Explanatory statement.* The purpose of this amendment is to
9 protect the people of Kansas from burdensome rules and
10 regulations and to promote accountability and transparency
11 by providing legislative oversight of rules and regulations
12 ~~adopted by executive branch agencies and officials.~~ This
13 amendment ~~authorizes the legislature to provide for~~
14 ~~legislative approval of rules and regulations and for~~
15 ~~legislative revocation or suspension of~~ rules and regulations
16 that are unnecessary, burdensome or otherwise not beneficial
17 to the public good.

Strike in lines 11 and 12

allows the People's representatives and
senators to revise or revoke

18 "A vote for this proposition would authorize the ~~legislature to~~
19 ~~provide for legislative approval of rules and regulations and~~
20 ~~for legislative revocation or suspension of~~ rules and
21 regulations that are unnecessary, burdensome or otherwise
22 not beneficial to the public good.

People's representatives and
senators to revise or revoke

23 "A vote against this proposition would allow executive branch
24 agencies and officials to continue adopting rules and
25 regulations that have the force and effect of law without
26 oversight from the elected representatives ~~to directly~~
27 ~~approve, revoke or suspend~~ such rules and regulations."

of the People to directly revise or revoke

28 Sec. 3. This resolution, if approved by two-thirds of the members
29 elected (or appointed) and qualified to the House of Representatives and
30 two-thirds of the members elected (or appointed) and qualified to the
31 Senate, shall be entered on the journals, together with the yeas and nays.
32 The secretary of state shall cause this resolution to be published as
33 provided by law and shall cause the proposed amendment to be submitted
34 to the electors of the state at a special election, which is hereby called on
35 August 4, 2026, pursuant to section 1 of article 14 of the constitution of
36 the state of Kansas, to be held in conjunction with the primary election
37 held on such date.