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MEMORANDUM

To: Senate Committee on Government Efficiency
From: Office of Revisor of Statutes
Date: January 29, 2025
Subject: Senate Bill 13, as introduced

Senate Bill 13 removes multiple provisions related to items filed with the Secretary of State. The bill contains sections of the Kansas statutes related to labor organizations, the Kansas Board of Regents, the Department of Revenue, the Kansas Water Office and bonded warehousemen.

Reports and Filings Related to Labor Organizations

Article 8 of Chapter 44 of the Kansas Statutes Annotated governs the organization, procedures and other requirements of labor organizations in Kansas. This bill repeals required filings of labor organizations and business agent of labor organizations registrations from and filings with the Secretary of State.

Currently, K.S.A. 44-809 makes certain actions related to labor organizations unlawful, including acting as business agent of a labor organization without a license obtained through and filed with the Secretary of State or be a business agent of an organization that has not filed the organization's constitution and bylaws with the Secretary of State. Section 1 of the bill amends this statute to remove these requirements and other references to such filings.

K.S.A. 44-810 allows for complaints against business agents of labor organizations who have licenses from and filed with the Secretary of State. SB 13 amends the statute to remove references to such licenses.

K.S.A. 44-823 governs processes and certifications for labor organizations of agricultural employers. The section requires that, in order to obtain a certificate, the organization file articles and bylaws with the Secretary of State. The section also requires that such articles and bylaws

provide that the organization file with the Secretary of State a list of names of officers, location of a principal office, financial reports, and any changes to such information. The bill would remove these items from the section's requirements for labor organizations that have agricultural employers.

In addition to amending the aforementioned sections, the bill repeals the following sections that govern these filings:

- K.S.A. 44-804 required that business agents obtain a registration certificate from the Secretary of State.
- K.S.A. 44-805 required the labor organizations file constitution and bylaws with the Secretary of State.
- K.S.A. 44-806 required the labor organization file an annual report with the Secretary of State.
- K.S.A. 44-806a outlined penalties for failure to file required items.
- K.S.A. 44-807 required the Secretary of State keep a register of such required filings.
- K.S.A. 44-812 required that filing fees for filing being removed by the bill be credited to the state general fund.
- K.S.A. 75-4336 and 75-4337 set forth requirements for business agents obtaining licenses with the Secretary of State and what labor organizations shall file with the Secretary of State.

Other Reports and Filings

K.S.A. 75-5501 provides directions for how payroll is determined if a person is a member of a labor organization. Section 6 of the bill removes the reference in such directions to the filings removed in sections 1 through 3.

K.S.A. 74-3220 and 74-3221 allow for the Kansas Board of Regents to enter into reciprocal agreements with postsecondary institutions schools located outside of Kansas or the county for the purposes of students pursuing courses of collegiate, graduate or professional studies. These statutes are amended in sections 4 and 5 of the bill to remove the requirement that the Kansas Board of Regents file such agreements with the Secretary of State.

K.S.A. 79-6a14 directs the director of property valuation of the Department of Revenue to file a petition with the Board of Tax Appeals when it is advisable to abate any motor carrier vehicle ad valorem tax liabilities. All abatements approved by the Board shall be filed with the Secretary of State. SB 13, Section 7 removes that filing requirement.

K.S.A. 79-3233b requires the Secretary of Revenue to maintain records of an abatement that reduces a final income tax liability of a taxpayer by \$5,000 and file an annual report of each such abatement with the Secretary of State and the Attorney General. Section 8 of the bill removes the requirement that such report be filed with the Secretary of State.

K.S.A. 79-3233g allows the Secretary of Revenue to file a petition with the Board of Tax Appeals to abate income tax liability that exceeds \$100. Any abatements approved and ordered under the statute shall be filed with the Secretary of State. Section 9 of the bill removes that filing requirement.

K.S.A. 82a-220 authorizes the director of the Kansas Water Office to enter into easements related to rivers on state property for conservation projects. Such easements are required to be filed with the Secretary of State and the register of deeds of the county where such an easement is located. SB 13, Section 10 removes the requirement that such an easement be filed with the Secretary of State.

K.S.A. 82-165 and K.S.A. 82-169 require that a warehouseman apply for a license, file with the Secretary of State that such warehouseman has a bond to Kansas of not less than \$50,000 and prohibit warehousemen from doing business without such license. Sections 11 and 12 of the bill remove the requirement for warehousemen to apply for such license filed with the Secretary of State. The bill also repeals K.S.A. 82-164 and 82-167 that govern these filings.

If enacted, the bill would take effect July 1, 2025, upon publication in the statute book.