

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 30** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 1, by striking all in lines 12 through 36;

By striking all on pages 2 through 19;

On page 20, by striking all in lines 1 through 4; following line 4, by inserting:

"Section 1. For purposes of sections 1 through 3, and amendments thereto:

(a) "Agency" means any department, bureau, division, board, authority, agency, commission or institution of the state. "Agency" does not include the behavioral sciences regulatory board, board of examiners in optometry, board of nursing, Kansas dental board, state board of healing arts, state board of pharmacy or state board of technical professions.

(b) "Material change" means a modification that significantly affects the nature, scope, value or fundamental aspects of the occupational license that is sufficiently important to influence duties, decisions, rights or obligations of the licensee or license applicant.

(c) "Occupational license" means a nontransferable and exclusive authorization in law in which the legislature, or an agency as authorized by the legislature, establishes the personal qualifications necessary to engage in, and the rules and regulations that govern, any occupation or profession. "Occupational license" does not include an occupational license regulated by the behavioral sciences regulatory board, board of examiners in optometry, board of nursing, Kansas dental board, state board of healing arts, state board of pharmacy or state board of technical professions.

(d) "Welfare" means the protection of the public against fraud or physical or

psychological harm. "Welfare" does not include the protection of businesses or agencies, whether publicly or privately owned, against competition.

Sec. 2. (a) Each agency shall submit an annual report to the joint committee on administrative rules and regulations during the month of September of each year.

(b) The report shall contain a list of each occupational license over which the agency has jurisdiction and provide the following for each occupational license:

- (1) The number of current holders of the occupational license;
- (2) a brief description of the typical employment of license holders;
- (3) a list of the regulations governing the issuing and maintaining of the occupational license;
- (4) the authorizing and implementing statutes for the regulations;
- (5) whether the occupational license is mandated or regulated by federal requirements;
- (6) a description of the required education, training and testing requirements to obtain the occupational license;
- (7) a description of any continuing education or testing requirements to maintain the occupational license;
- (8) an enumeration of the total fees paid to the agency to obtain and maintain the occupational license;
- (9) an identification of any requirement concerning good moral character to obtain or maintain the occupational license;
- (10) an identification of any restrictions in obtaining or holding the occupational license imposed on individuals with criminal records; and
- (11) a description of any reciprocity agreements allowing for interstate occupational license recognition.

Sec. 3. (a) (1) Any new occupational license or material change to an existing occupational license adopted by an agency on or after July 1, 2025, shall require approval of the legislature by joint resolution pursuant to this section before the requirement shall take effect, unless such requirement has been ratified by the legislature by the enactment of a bill pursuant to the provisions of K.S.A. 2024 Supp. 77-441, and amendments thereto.

(2) Notwithstanding any current provision of law, every existing statutory grant of authority to an agency to adopt regulations regarding occupational licenses that exists on July 1, 2025, is supplemented by this section.

(b) (1) Before consideration by the legislature of a joint resolution approving a new occupational license or material change to an existing occupational license proposed for adoption by an agency, a standing committee of the house of representatives and the senate to which legislation of the subject matter pertaining to the occupational license is customarily referred, as determined by the speaker of the house of representatives and the president of the senate, as applicable, shall each conduct a review of the proposed new occupational license or material change to an existing occupational license, including a review of the report by staff pursuant to paragraph (2), at such time as the matter is referred to such committee. Each such committee shall provide a written recommendation regarding adoption or denial of the new occupational license or material change to an existing occupational license to the speaker of the house of representatives and the president of the senate, as applicable, for distribution and consideration by the legislature. The report prepared by staff pursuant to paragraphs (2) and (3) shall be included in such written recommendation.

(2) The chairperson of a standing committee of the house of representatives or the senate reviewing a new occupational license or material change to an existing occupational license as provided by paragraph (1) shall request staff from the Kansas legislative research

department to conduct a review of the new occupational license or material change to an existing occupational license and prepare a written report to the committee. The report shall be presented to the committee for review by legislative research staff within two weeks of such request by the chairperson.

(3) The report shall include:

(A) An analysis and explanation as to why the new occupational license or material change to an existing occupational license is necessary to protect public health, safety or welfare;

(B) an examination of available alternative measures, including voluntary certification and other potential less restrictive measures;

(C) an analysis as to whether the requirement is the least restrictive means to achieve its stated purpose;

(D) an examination of and comparison as to whether and how other states regulate the profession at issue;

(E) an examination of the effect that the new occupational license or material change to an existing occupational license will have on job creation or retention; and

(F) an examination of the costs and benefits associated with the requirement, including, but not limited to:

(i) Estimated compliance and opportunity costs, including licensing fees, education requirements and associated costs, experience requirements and an estimation of the total number of calendar days dedicated by an applicant to obtaining the license;

(ii) estimated secondary or indirect costs; and

(iii) estimated effect on state expenditures, including estimated administrative expenses.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 through 8; in line 9, by striking "sections" and inserting "labor and employment; relating to occupational licensing; providing for occupational licensing annual reports by agencies to the joint committee on administrative rules and regulations; requiring that adoption of new occupational licenses and material changes to existing occupational licenses by a state agency be approved by joint resolution of the legislature";

And your committee on conference recommends the adoption of this report.

Conferees on part of House

Conferees on part of Senate