

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 executive branch of state government. "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 or state board of pharmacy.

(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 or state board of pharmacy.

(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 proposed to be adopted by an agency on or after January 1, 2026, shall require approval of the legislature by ratification before the requirement shall take effect. A requirement shall be deemed ratified if a bill authorizing such requirement is enacted by the legislature in a manner similar to the provisions of K.S.A. 2025 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 January 1, 2026, is supplemented by this section.

(b) (1) An agency proposing a new occupational license or material change to an existing occupational license for consideration by the legislature shall submit a written proposal to the Kansas legislative research department addressing the items set forth in paragraph (4). The Kansas legislative research department shall review the agency's written proposal, compile the information provided as necessary and prepare a report for presentation to the legislature, as provided by paragraph (3). The agency shall provide the department with additional information or analysis as the department may request in time so as to enable preparation of a comprehensive and thorough report within the period required by paragraph (3).

(2) Before consideration by the legislature of a bill 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 paragraphs (1) and (3), 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 (1) and (3) shall be included in such written recommendation.

(3) 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 (2) shall request staff from the Kansas legislative research department to prepare the written proposal from the agency proposing such new occupational license or material change to an existing occupational license as a written report to the committee. The report shall be presented to the committee by staff from the Kansas legislative research department within two weeks of such request by the chairperson.

(4) The report shall include:

(A) An analysis and explanation by the agency 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 by the agency of available alternative measures, including voluntary certification and other potential less restrictive measures;

(C) an analysis by the agency as to whether the requirement is the least restrictive means to achieve its stated purpose. This item shall include a ranking by the Kansas legislative research department of the agency's proposal on a scale of relative restrictiveness of regulatory measures;

(D) an examination of and comparison as to whether and how other states regulate the profession at issue to be prepared by the Kansas legislative research department;

(E) an examination by the agency 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 by the agency 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.";

Also on page 20, in line 6, by striking "statute book" and inserting "Kansas register";

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 the legislature by ratification";

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

Conferees on part of House

Conferees on part of Senate