

# HOUSE JOURNAL

PROCEEDINGS

OF THE

## House of Representatives

OF

## The Legislature

OF THE

STATE OF KANSAS

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REGULAR 2021 SESSION

JANUARY 11 THROUGH ADJOURNMENT MAY 26, 2021

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SUSAN W. KANNARR, *Chief Clerk of the House*

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2021



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*Governor*  
LAURA KELLY, Topeka

*Lieutenant Governor*  
DAVID TOLAND, Iola

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OFFICERS OF THE HOUSE

Session of 2021

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Ron Ryckman.....	Speaker
Blaine Finch .....	Speaker Pro Tem
Dan Hawkins.....	Majority Leader
Tom Sawyer.....	Minority Leader
Susan Kannarr .....	Chief Clerk
Foster Chisholm.....	Sergeant-at-Arms

## HOUSE OF REPRESENTATIVES — 2021

The 2021 Kansas House of Representatives consisted of 86 Republican and 39 Democrat members. An alphabetical list of members is below.

Name	Party	Dist.	Occupation
<b>Alcala, John</b> , Shawnee	Dem.	57	Retired
<b>Amyx, Mike</b> , Douglas	Dem.	45	Barber
<b>Anderson, Avery</b> , Harvey	Rep.	72	Entrepreneur
<b>Arnberger, Tory Marie</b> , Barton	Rep.	112	Human Resources Director, Pryor Automatic
<b>Awerkamp, Francis</b> , Pottawatomie	Rep.	61	Business owner
<b>Baker, Dave</b> , Morris	Rep.	68	Consultant/Realtor
<b>Ballard, Barbara</b> , Douglas	Dem.	44	University Administrator
<b>Barker, John</b> , Dickinson	Rep.	70	Retired Judge
<b>Bergkamp, Brian</b> , Sedgwick	Rep.	93	Project Manager
<b>Bergquist, Emil</b> , Sedgwick	Rep.	91	Retired Aircraft R&D
<b>+Bishop, Elizabeth</b> , Sedgwick	Dem.	88	Retired
<b>Blex, Doug</b> , Montgomery	Rep.	12	Wildlife Biologist/Farmer
<b>Borjon, Jesse</b> , Shawnee	Rep.	52	Business Owner
<b>Burris, Jesse</b> , Sumner	Rep.	82	Attorney
<b>Burroughs, Tom</b> , Wyandotte	Dem.	33	Retired, Colgate-Palmolive
<b>Byers, Stephanie</b> , Sedgwick	Dem.	86	Teacher (Retired)
<b>Carlin, Sydney</b> , Riley	Dem.	66	Investments, Property Mgr.
<b>Carlson, Suzi</b> , Clay	Rep.	64	Retired Municipal Judge
<b>Carmichael, John</b> , Sedgwick	Dem.	92	Attorney
<b>Carpenter, Blake</b> , Sedgwick	Rep.	81	Contractor
<b>Carpenter, Will</b> , Butler	Rep.	75	Business Owner
<b>Clark, Lonnie</b> , Geary	Rep.	65	Retired
<b>Clayton, Stephanie</b> , Johnson	Dem.	19	Social Media Consultant
<b>Coleman, Aaron</b> , Wyandotte	Dem.	37	Entrepreneur
<b>Collins, Kenneth</b> , Crawford	Rep.	2	Convenience Store Owner
<b>Concannon, Susan</b> , Mitchell	Rep.	107	Philanthropy
<b>Corbet, Ken</b> , Shawnee	Rep.	54	Small Business Owner
<b>Croft, Chris</b> , Johnson	Rep.	8	Retired Army
<b>Curtis, Pam</b> , Wyandotte	Dem.	32	Community Relations
<b>*Day, Jennifer</b> , Johnson	Dem.	48	Real Estate Investor
<b>Delperdang, Leo</b> , Sedgwick	Rep.	94	Retired
<b>Dodson, Michael</b> , Riley	Rep.	67	Retired
<b>Donohoe, Owen</b> , Johnson	Rep.	39	Medical Sales
<b>Ellis, Ronald</b> , Jefferson	Rep.	47	Rancher
<b>Eplee, John</b> , Atchison	Rep.	63	Family Physician
<b>Esau, Charlotte</b> , Johnson	Rep.	14	Genealogist
<b>Estes, Susan</b> , Sedgwick	Rep.	87	—
<b>Fairchild, Brett</b> , Stafford	Rep.	113	Farmer
<b>Featherston, Linda</b> , Johnson	Dem.	16	Piano Teacher

<b>Finch, Blaine</b> , Franklin	Rep.	59	Attorney
<b>Finney, Gail</b> , Sedgwick	Dem.	84	Small Business Owner
<b>Francis, Shannon</b> , Seward	Rep.	125	Property Management
<b>French, David</b> , Leavenworth	Rep.	40	Retired
<b>Garber, Randy</b> , Nemaha	Rep.	62	Ret. Navy/ Construction Worker
<b>Gartner, Jim</b> , Shawnee	Dem.	53	Retired
<b>Haswood, Christina</b> , Douglas	Dem.	10	Public Health Worker
<b>Hawkins, Daniel</b> , Sedgwick	Rep.	100	Insurance Agent
<b>Helgerson, Henry</b> , Sedgwick	Dem.	83	Businessman
<b>Helmer, Cheryl</b> , Sumner	Rep.	79	Professional School Counselor
<b>Henderson, Broderick</b> , Wyandotte	Dem.	35	Parking Controller Office
<b>Highberger, Dennis "Boog"</b> , Douglas	Dem.	46	Attorney
<b>Highland, Ron</b> , Pottawatomie	Rep.	51	Retired Veterinarian
<b>Hoffman, Kyle</b> , Comanche	Rep.	116	Farmer/Rancher
<b>Hoheisel, Nick</b> , Sedgwick	Rep.	97	–
<b>Houser, Michael</b> , Cherokee	Rep.	1	Construction Estimator
<b>Howard, Ron</b> , Sedgwick	Rep.	98	–
<b>Howe, Steven</b> , Saline	Rep.	71	–
<b>Hoye, Jo Ella</b> , Johnson	Dem.	17	–
<b>Huebert, Steve</b> , Sedgwick	Rep.	90	Self-Employed
<b>Humphries, Susan</b> , Sedgwick	Rep.	99	Attorney
<b>Jacobs, Trevor</b> , Bourbon	Rep.	4	Welder
<b>Jennings, Russell</b> , Kearny	Rep.	122	Self-Employed
<b>Johnson, Steven</b> , Saline	Rep.	108	Farmer
<b>Johnson, Timothy</b> , Leavenworth	Rep.	38	Teacher (Retired)
<b>Kelly, Jim</b> , Montgomery	Rep.	11	Banker
<b>Kessler, Tom</b> , Sedgwick	Rep.	96	Tom's Wine & Spirits LLC
<b>Kuether, Annie</b> , Shawnee	Dem.	55	Retired
<b>Landwehr, Brenda</b> , Sedgwick	Rep.	105	Retired
<b>Lee, Tatum</b> , Ness	Rep.	117	Development Director, R-CALF USA
<b>Long, Marty</b> , Grant	Rep.	124	Farmer/Small Business
<b>Lynn, Megan</b> , Johnson	Rep.	49	Children's Ministry Assistant
<b>Mason, Les</b> , McPherson	Rep.	73	Retired
<b>Miller, Vic</b> , Shawnee	Dem.	58	Retired
<b>Minnix, Jim</b> , Scott	Rep.	118	Farmer, Stockman
<b>Moser, Lisa</b> , Pottawatomie	Rep.	106	Rancher
<b>Murphy, Michael</b> , Reno	Rep.	114	B&B Owner/Operator
<b>Neelly, Lance</b> , Leavenworth	Rep.	42	Security Supervisor
<b>Neighbor, Cindy</b> , Johnson	Dem.	18	Retired Medical Admin.
<b>Newland, Joe</b> , Wilson	Rep.	13	Farmer-Rancher
<b>Ohaebosim, KC</b> , Sedgwick	Dem.	89	–
<b>Orr, Boyd</b> , Meade	Rep.	115	Farmer/Rancher
<b>Ousley, Jarrod</b> , Johnson	Dem.	24	Paint Contractor
<b>Owens, Stephen</b> , Harvey	Rep.	74	Self-employed

<b>Parker, Brett</b> , Johnson	Dem.	29	Teacher
<b>Patton, Fred</b> , Shawnee	Rep.	50	Attorney
<b>Penn, Patrick</b> , Sedgwick	Rep.	85	–
<b>Poetter, Samantha</b> , Miami	Rep.	6	–
<b>Poskin, Mari-Lynn</b> , Johnson	Dem.	20	Education Consultant
<b>Probst, Jason</b> , Reno	Dem.	102	Freelance Writer
<b>Proctor, Pat</b> , Leavenworth	Rep.	41	Professor
<b>Proehl, Richard</b> , Labette	Rep.	7	Banker
<b>Rahjes, Ken</b> , Phillips	Rep.	110	Agricultural Communications
<b>Ralph, Bradley</b> , Ford	Rep.	119	Attorney
<b>Resman, John</b> , Johnson	Rep.	121	Retired Deputy Sheriff
<b>Rhiley, Bill</b> , Sumner	Rep.	80	–
<b>Ruiz, Susan</b> , Johnson	Dem.	23	Social Work
<b>Ruiz, Louis</b> , Wyandotte	Dem.	31	Retired; Lucent
<b>Ryckman, Ron</b> , Johnson	Rep.	78	Contractor
<b>Samsel, Mark</b> , Franklin	Rep.	5	Attorney/KSHSAA Referee
<b>Sanders, Clarke</b> , Saline	Rep.	69	–
<b>Sawyer, Tom</b> , Sedgwick	Dem.	95	Accountant
<b>Schreiber, Mark</b> , Lyon	Rep.	60	Retired
<b>Seiwert, Joe</b> , Reno	Rep.	101	Agricultural Business Owner
<b>Smith, Adam</b> , Wallace	Rep.	120	Farmer/Rancher
<b>Smith, Charles</b> , Crawford	Rep.	3	Teacher-Coach
<b>Smith, Eric</b> , Coffey	Rep.	76	Deputy Sheriff
<b>Stogsdill, Jerry</b> , Johnson	Dem.	21	Real Estate Investor
<b>Sutton, Bill</b> , Johnson	Rep.	43	Inventory Control
<b>Tarwater, Sean</b> , Johnson	Rep.	27	Business Owner
<b>Thomas, Adam</b> , Johnson	Rep.	26	Restaurant Owner
<b>Thompson, Kent</b> , Allen	Rep.	9	Real Estate/Rancher
<b>Toplikar, John</b> , Johnson	Rep.	15	Carpenter/Contractor
<b>Turner, Carl</b> , Johnson	Rep.	28	Financial/Process Improvement/ Project Mgmt.
<b>Vaughn, Lindsay</b> , Johnson	Dem.	22	Volunteer Manager
<b>Victors, Ponka-We</b> , Sedgwick	Dem.	103	Guest Teacher
<b>Waggoner, Paul</b> , Reno	Rep.	104	Manager, Waggoners, Inc.
<b>Wasinger, Barbara</b> , Ellis	Rep.	111	Business Owner
<b>Waymaster, Troy</b> , Russell	Rep.	109	Farmer/Office Manager
<b>Weigel, Virgil</b> , Shawnee	Dem.	56	Retired
<b>Wheeler, John</b> , Finney	Rep.	123	Retired Attorney
<b>Williams, Kristey</b> , Butler	Rep.	77	Former mayor/Formal teacher
<b>Winn, Valdenia</b> , Wyandotte	Dem.	34	College Professor
<b>Wolfe Moore, Kathy</b> , Wyandotte	Dem.	36	External Liaison/KU Hospital
<b>Woodard, Brandon</b> , Johnson	Dem.	30	Higher Education Fundraising
<b>Xu, Rui</b> , Johnson	Dem.	25	Marketing Analyst

+ Representative Bishop resigned effective June 30, 2021.

\* Representative Day resigned effective June 24, 2021.

**STANDING COMMITTEES OF THE HOUSE  
LEGISLATIVE SESSION, 2021**

**Agriculture:** Rahjes, *Chairperson*; Smith, E., *Vice-chairperson*; Carlson, Fairchild, Jacobs, Minnix, Moser, Murphy, Newland, Orr, Seiwert, Thompson. Carlin, *Ranking Minority Member*; Featherston, Haswood, Probst, Xu.

**Appropriations:** Waymaster, *Chairperson*; Hoffman, *Vice-chairperson*; W. Carpenter, Concannon, Corbet, Estes, Francis, Humphries, S. Johnson, Landwehr, Owens, Proehl, Rahjes, Sutton, Tarwater, K. Williams.

Wolfe Moore, *Ranking Minority Member*; Alcalá, Ballard, Burroughs, Carlin, Helgerson, Parker.

**Calendar and Printing:** Hawkins, *Chairperson*; Ryckman, *Vice-chairperson*; Finch, Mason.

Woodard, *Ranking Minority Member*; Xu.

**Children and Seniors:** Concannon, *Chairperson*; Esau, *Vice-chairperson*; Helmer, T. Johnson, Moser, Penn, C. Smith, Thompson, Waggoner.

Ousley, *Ranking Minority Member*; Hoye, Neighbor, Vaughn.

**Commerce, Labor and Economic Development:** Tarwater, *Chairperson*; Long, *Vice-chairperson*; Anderson, Averkamp, Borjon, W. Carpenter, Croft, M. Dodson, Highland, Hoffman, S. Johnson, Kessler, Mason, Ralph, Sutton, K. Williams.

Clayton, *Ranking Minority Member*; Burroughs, Curtis, Miller, Probst, L. Ruiz, Xu.

**Corrections and Juvenile Justice:** Jennings, *Chairperson*; Owens, *Vice-chairperson*; French, F. Patton, Wheeler, Resman, Poetter, B. Carpenter, E. Smith.

Highberger, *Ranking Minority Member*; Kuether, Carmichael.

**Education:** Huebert, *Chairperson*; Thomas, *Vice-chairperson*; Bergkamp, Clark, Collins, Donohoe, Estes, Murphy, Orr, Samsel, Sanders, Schreiber.

Stogsdill, *Ranking Minority Member*; Byers, Featherston, Poskin, Wolfe Moore.

**Elections:** B. Carpenter, *Chairperson*; Bergquist, *Vice-chairperson*; Borjon, Collins, M. Dodson, Lee-Hahn, Proctor, C. Smith, Toplikar.

Miller, *Ranking Minority Member*; Bishop, Neighbor, Parker.

**Energy, Utilities and Telecommunications:** Seiwert, *Chairperson*; Schreiber, *Vice-chairperson*; Anderson, Bergquist, Borjon, Delpedang, Esau, Kessler, Mason, Samsel, C. Smith, Turner.

Kuether, *Ranking Minority Member*; Carmichael, Gartner, Neighbor, Ohaebosim.

**Federal and State Affairs:** Barker, *Chairperson*; Arnberger, *Vice-chairperson*; Averkamp, Burris, B. Carpenter, Eplee, Garber, Houser, Howe, Jacobs, Moser, Penn, Poetter, Resman, E. Smith, Waggoner.

L. Ruiz, *Ranking Minority Member*; Clayton, Henderson, Highberger, Hoye, Miller, Woodard.

**Financial Institutions and Rural Development:** Kelly, *Chairperson*; Hoheisel,

Vice-chairperson; Lynn, Neelly, Samsel, Bergkamp, Anderson, Toplikar, Baker, Wasinger, Kessler, Donohoe.

Xu, Ranking Minority Member; Poskin, Finney, Weigel.

**Health and Human Services:** Landwehr, Chairperson; Eplee, Vice-chairperson; Amrberger, Barker, Bergquist, Blex, Carlson, Ellis, Kelly, Lynn, A. Smith., Turner.

Parker, Ranking Minority Member; Bishop, Haswood, Henderson, S. Ruiz.

**Insurance and Pensions:** S. Johnson, Chairperson; Croft, Vice-chairperson; Bergquist, Borjon, Collins, M. Dodson, Garber, Howe, Proctor, Rhiley, C. Smith, Toplikar.

Neighbor, Ranking Minority Member; Bishop, Finney, Miller, Parker.

**Interstate Cooperation:** Ryckman, Chairperson; Finch, Vice-chairperson; B. Carpenter, Hawkins, Mason.

Winn, Ranking Minority Member; Ballard.

**Judiciary:** F. Patton, Chairperson; Ralph, Vice-chairperson; Burriss, Hoheisel, Humphries, Jennings, Long, Neelly, Owens, Samsel, Schreiber, Wheeler.

Carmichael, Ranking Minority Member; Curtis, Highberger, Kuether, Ohaebosim.

**Legislative Budget (House):** Waymaster, Chairperson; Hoffman, Vice-chairperson; Finch, Hawkins, Ryckman.

Wolfe Moore, Ranking Minority Member; Alcalá, Helgerson.

**Local Government:** Thompson, Chairperson; Blex, Vice-chairperson; Collins, Helmer, Howard, Lee-Hahn, Long, Sanders, Wheeler.

Curtis, Ranking Minority Member; Amyx, Featherston, Ousley.

**Redistricting:** Croft, Chairperson; Ralph, Vice-chairperson; Barker, Esau, Hoffman, Hoheisel, Huebert, Kelly, Landwehr, F. Patton, A. Smith, Sutton.

Burroughs, Ranking Minority Member; Ballard, Clayton, Miller, Probst.

**Rules and Journal:** F. Patton, Chairperson; Highland, Humphries, Ralph, A. Smith..

Highberger, Vice-chairperson; Clayton.

**Taxation:** A. Smith, Chairperson; Mason, Vice-chairperson; Averkamp, Baker, Bergkamp, Blex, Corbet, Eplee, Highland, Kelly, Kessler, Poetter, Proehl, Sanders, Turner, Wasinger.

Gartner, Ranking Minority Member; Alcalá, Clayton, Helgerson, Stogsdill, Woodard.

**Transportation:** Proehl, Chairperson; Delperdang, Vice-chairperson; Francis, Hoheisel, Houser, Howe, Jacobs, Minnix, Neelly, Proctor, Seiwert, Toplikar.

Helgerson, Ranking Minority Member; Ballard, Ohaebosim, Victors, Weigel.

**Veterans and Military:** Clark, Chairperson; Ellis, Vice-chairperson; Collins, M. Dodson, French, Howard, T. Johnson, Neelly, Proctor.

S. Ruiz, Ranking Minority Member; Poskin, Victors, Weigel.

**Water:** Highland, Chairperson; Orr, Vice-chairperson; Carlson, Croft, Fairchild, Jennings, Minnix, Murphy, Newland, Rhiley, A. Smith, A. Thomas.  
Bishop, Ranking Minority Member; Byers, Haswood, Stogsdill, Vaughn.

### **Budget Committees**

**Agriculture and Natural Resources Budget:** Corbet, Chairperson; Newland, Vice-chairperson; Baker, Garber, Howard, Lee-Hahn.  
Carlin, Ranking Minority Member; Alcalá, Gartner.

**General Government Budget:** Sutton, Chairperson; Waggoner, Vice-chairperson; Anderson, Arnberger, Clark, French.  
Amyx, Ranking Minority Member; Burroughs, Wolfe Moore.

**Higher Education Budget:** Humphries, Chairperson; Wasinger, Vice-chairperson; Burris, Fairchild, Rahjes, Rhiley.  
Woodard, Ranking Minority Member; Amyx, Winn.

**K-12 Education Budget:** K. Williams, Chairperson; Hoffman, Vice-chairperson; Estes, Huebert, T. Johnson, Landwehr, Penn, Tarwater, Thomas.  
Winn, Ranking Minority Member; Byers, Hoye, Ousley.

**Social Services Budget:** W. Carpenter, Chairperson; Lynn, Vice-chairperson; Concannon, Donohoe, Helmer, Howard.  
Ballard, Ranking Minority Member; S. Ruiz, Vaughn.

**Transportation and Public Safety Budget:** Francis, Chairperson; Resman, Vice-chairperson; Delperdang, Ellis, Esau, Houser.  
Weigel, Ranking Minority Member; Poskin, Victors.

### **JOINT COMMITTEES**

**Administrative Rules and Regulations:** Wasinger, Chairperson; Carmichael, Kuether, Newland, Sutton, Waggoner, Winn.  
Senate members: Warren, Vice-chairperson; Corson, Faust-Goudeau, McGinn, Tyson.

**Child Welfare System Oversight:**  
Senate members: Hilderbrand, Chairperson; Baumgardner, Faust-Goudeau, Gossage, Holscher, O'Shea.

**Corrections and Juvenile Justice Oversight:** Jennings, Chairperson; Highberger, Ranking Minority Member; Carlin, Finney, Hoffman, Owens, Resman.  
Senate members: Baumgardner, Vice-chairperson; Bowers, Corson, Doll, Erickson, Faust-Goudeau, O'Shea.

**Fiduciary Financial Institutions Oversight:** Kelly, Chairperson; Finney, Hoheisel, Owens, Xu.  
Senate members: Longbine, Vice-chairperson; Fagg, Masterson, Pittman.

**Information Technology:** Hoffman, Chairperson; Collins, Huebert, Xu.  
Senate members: Petersen, Vice-chairperson; Holland, Pittman, Pyle, Tyson.

**Kansas Security:** E. Smith, Chairperson; Baker, Houser, Ousley, L. Ruiz.  
Senate members: Petersen, Vice-chairperson; Kloos, Peck, Pittman, Ware.

**Legislative Coordinating Council:** Ryckman, Vice-chairperson; Finch, Hawkins, Sawyer.

Senate members: Masterson, Chairperson; Alley, Sykes, Wilborn.

**Legislative Post Audit Committee:** Williams, Chairperson; Barker, Burroughs, Gartner, Toplikar.

Senate members: Tyson, Vice-chairperson; Corson, Olson, Thompson, Ware.

**Pensions, Investments and Benefits:** S. Johnson, Chairperson; Borjon, Henderson, Kelly, Kuether, Tarwater, Turner, Xu.

Senate members: Longbine, Vice-chairperson; Dietrich, Fagg, Holscher, Pettey.

**Robert G. (Bob) Bethell Home and Community Based Services and KanCare Oversight:** Landwehr, Vice-chairperson; Ballard, W. Carpenter, Concannon, Lynn, S. Ruiz.

Senate members: Hilderbrand, Chairperson; Erickson, Gossage, Pettey, Steffen.

**Special Claims Against the State:** Ralph, Vice-chairperson; Humphries, Miller, Samsel.

Senate members: Dietrich, Chairperson; Haley, Straub.

**State -Tribal Relations:** Garber, Vice-chairperson; Awerkamp, Haswood, Victors, Wheeler.

Senate members: Alley, Chairperson; Haley, Ranking Minority; Holland, Kerschen, Pyle.

**State Building Construction:** Long, Chairperson; Alcalá, Houser, Humphries, Ousley.

Senate members: Billinger, Vice-chairperson; Claeys, Hawk, Suellentrop.

## INDIVIDUAL HOUSE MEMBER INFORMATION

Term: Indicates the start and end, if applicable, of member terms. Term begins on start of annual Session of the year indicated unless otherwise noted. Members who left office during Session are shown in italics.

\*RM denotes Ranking Minority party member

### **Alcala, John**

<b>Term: 2013</b>	<b>District: 57</b>	<b>Democrat</b>	
Appropriations	Member	9:00 am Daily	112-N
Jt. State Building Construction	Member	12:00 pm	159-S
Ag & Natural Resources Bdgt.	Member	1:30 pm Daily	118-N
Taxation	Member	3:30 pm Daily	346-S
House Legislative Budget	Member	On Call	On Call

### **Amyx, Mike**

<b>Term: 2019</b>	<b>District: 45</b>	<b>Democrat</b>	
Local Government	Member	9:00 am Mon/Wed	281-N
Higher Education Budget	Member	1:30 pm Daily	281-N
General Government Budget	*RM Member	3:30 pm Daily	281-N

### **Anderson, Avery**

<b>Term: 2021</b>	<b>District: 72</b>	<b>Republican</b>	
Energy, Utilities & Telecomm.	Member	9:00 am Tue/Thu	582-N
Financial Inst. & Rural Dev.	Member	9:00 am Mon/Wed	218-N
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm Daily	346-S
General Government Budget	Member	3:30 pm Daily	281-N

### **Arnberger, Tory**

<b>Term: 2017</b>	<b>District: 112</b>	<b>Republican</b>	
Federal and State Affairs	Vice-Chair	9:00 am Daily	346-S
Health and Human Services	Member	1:30 pm Daily	112-N
General Government Budget	Member	3:30 pm Daily	281-N

### **Awerkamp, Francis**

<b>Term: 2017</b>	<b>District: 61</b>	<b>Republican</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	346-S
Jt. State-Tribal Relations	Member	On Call	On Call

**Baker, Dave****Term: 2017**

Financial Inst. & Rural Dev.	Member	9:00 am	Mon/Wed	218-N
Ag & Natural Resources Bdgt.	Member	1:30 pm	Daily	118-N
Taxation	Member	3:30 pm	Daily	346-S
Kansas Security (Joint)	Member	On Call		On Call

**District: 68 Republican****Ballard, Barbara****Term: 1993**

Appropriations	Member	9:00 am	Daily	112-N
Transportation	Member	1:30 pm	Daily	582-N
Social Services Budget	*RM Member	3:30 pm	Daily	152-S
Interstate Cooperation	Member	On Call		On Call
Redistricting	Member	On Call		On Call
Robert G. (Bob) Bethell Jt. Comm. on HCBS & KanCare Oversight	Member	On Call		On Call

**District: 44 Democrat****Barker, John****Term: 2013**

Federal and State Affairs	Chair	9:00 am	Daily	346-S
Health and Human Services	Member	1:30 pm	Daily	112-N
Legislative Post Audit	Member	On Call		On Call
Redistricting	Member	On Call		On Call

**District: 70 Republican****Bergkamp, Brian****Term: 2021**

Financial Inst. & Rural Dev.	Member	9:00 am	Mon/Wed	218-N
Education	Member	1:30 pm	Daily	218-N
Taxation	Member	3:30 pm	Daily	346-S

**District: 93 Republican****Bergquist, Emil****Term: 1-23-2018**

Energy, Utilities & Telecomm.	Member	9:00 am	Tue/Thu	582-N
Health and Human Services	Member	1:30 pm	Daily	112-N
Elections	Vice-Chair	3:30 pm	Tue/Thu	218-N
Insurance and Pensions	Member	3:30 pm	Mon/Wed	218-N

**District: 91 Republican****Bishop, Elizabeth****Term: 2017**

Water	*RM Member	9:00 am	Daily	152-S
Health and Human Services	Member	1:30 pm	Daily	112-N
Elections	Member	3:30 pm	Tue/Thu	218-N
Insurance and Pensions	Member	3:30 pm	Mon/Wed	218-N

**District: 88 Democrat**

**Blex, Doug****Term: 2017**

Local Government	<b>District: 12</b> Vice-Chair	<b>Republican</b> 9:00 am Mon/Wed	281-N
Health and Human Services	Member	1:30 pm Daily	112-N
Taxation	Member	3:30 pm Daily	346-S

**Borjon, Jesse****Term: 2021**

Energy, Utilities & Telecomm.	<b>District: 52</b> Member	<b>Republican</b> 9:00 am Tue/Thu	582-N
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm Daily	346-S
Elections	Member	3:30 pm Tue/Thu	218-N
Insurance and Pensions	Member	3:30 pm Mon/Wed	218-N
Jt. Pensions, Invest. & Ben.	Member	On Call	On Call

**Burris, Jesse****Term: 6-1-2017**

Federal and State Affairs	<b>District: 82</b> Member	<b>Republican</b> 9:00 am Daily	346-S
Higher Education Budget	Member	1:30 pm Daily	281-N
Judiciary	Member	3:30 pm Daily	582-N

**Burroughs, Tom****Term: 1997**

Appropriations	<b>District: 33</b> Member	<b>Democrat</b> 9:00 am Daily	112-N
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm Daily	346-S
General Government Budget	Member	3:30 pm Daily	281-N
Legislative Post Audit	Member	On Call	On Call
Redistricting	*RM Member	On Call	On Call

**Byers, Stephanie****Term: 2021**

Water	<b>District: 86</b> Member	<b>Democrat</b> 9:00 am Daily	152-S
Education	Member	1:30 pm Daily	218-N
K-12 Education Budget	Member	3:30 pm Daily	546-S

**Carlin, Sydney****Term: 2003**

Appropriations	<b>District: 66</b> Member	<b>Democrat</b> 9:00 am Daily	112-N
Ag & Natural Resources Bdgt.	*RM Member	1:30 pm Daily	118-N
Agriculture	*RM Member	3:30 pm Daily	112-N
Jt. Corr. & Juv. Justice Overs.	Member	On Call	On Call

**Carlson, Suzi****Term: 2019**

	<b>District: 64</b>	<b>Republican</b>	
Water	Member	9:00 am Daily	152-S
Health and Human Services	Member	1:30 pm Daily	112-N
Agriculture	Member	3:30 pm Daily	112-N

**Carmichael, John****Term: 2013**

	<b>District: 92</b>	<b>Democrat</b>	
Energy, Utilities & Telecomm.	Member	9:00 am Tue/Thu	582-N
Corrections & Juvenile Justice	Member	1:30 pm Daily	546-S
Judiciary	*RM Member	3:30 pm Daily	582-N
Jt. Admin. Rules & Regs	*RM Member	On Call	On Call

**Carpenter, Blake****Term: 2015**

	<b>District: 81</b>	<b>Republican</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Corrections & Juvenile Justice	Member	1:30 pm Daily	546-S
Elections	Chair	3:30 pm Tue/Thu	218-N
Interstate Cooperation	Member	On Call	On Call

**Carpenter, Will****Term: 2013-2016; 2019**

	<b>District: 75</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm Daily	346-S
Social Services Budget	Chair	3:30 pm Daily	152-S
Robert G. (Bob) Bethell Jt. Comm. on	Member	On Call	On Call
HCBS & KanCare Oversight			

**Clark, Lonnie****Term: 2015**

	<b>District: 65</b>	<b>Republican</b>	
Veterans and Military	Chair	9:00 am Tue/Thu	281-N
Education	Member	1:30 pm Daily	218-N
General Government Budget	Member	3:30 pm Daily	281-N

**Clayton, Stephanie****Term: 2013**

	<b>District: 19</b>	<b>Democrat</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Commerce, Lbr. & Econ. Dev.	*RM Member	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	346-S
Redistricting	Member	On Call	On Call
Rules and Journal	Member	On Call	On Call

**Coleman, Aaron****Term: 2021**

No committee assignments

**District: 37 Democrat**

**Collins, Kenneth**

<b>Term: 2019</b>	<b>District: 2</b>	<b>Republican</b>	
Local Government	Member	9:00 am Mon/Wed	281-N
Veterans and Military	Member	9:00 am Tue/Thu	281-N
Education	Member	1:30 pm Daily	218-N
Elections	Member	3:30 pm Tue/Thu	218-N
Insurance and Pensions	Member	3:30 pm Mon/Wed	218-N
Joint Information Technology	Member	On Call	On Call

**Concannon, Susan**

<b>Term: 2013</b>	<b>District: 107</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Children and Seniors	Chair	1:30 pm Daily	152-S
Social Services Budget	Member	3:30 pm Daily	152-S
Robert G. (Bob) Bethell Jt. Comm.	Member	On Call	On Call
HCBS & KanCare Oversight			

**Corbet, Ken**

<b>Term: 2013</b>	<b>District: 54</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Ag & Natural Resources Bdgt.	Chair	1:30 pm Daily	118-N
Taxation	Member	3:30 pm Daily	346-S

**Croft, Chris**

<b>Term: 2019</b>	<b>District: 8</b>	<b>Republican</b>	
Water	Member	9:00 am Daily	152-S
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm Daily	346-S
Insurance and Pensions	Vice-Chair	3:30 pm Mon/Wed	218-N
Redistricting	Chair	On Call	On Call

**Curtis, Pam**

<b>Term: 2014</b>	<b>District: 32</b>	<b>Democrat</b>	
Local Government	*RM Member	9:00 am Mon/Wed	281-N
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm Daily	346-S
Judiciary	Member	3:30 pm Daily	582-N
Joint Information Technology	*RM Member	On Call	On Call

**Day, Jennifer**

<b>Term: 6-30-2020 to 6-24-2021</b>	<b>District: 48</b>	<b>Democrat</b>	
Corrections & Juvenile Justice	Member	1:30 pm Daily	546-S
Financial Inst. & Rural Dev.	Member	9:00 am Mon/Wed	218-N
Taxation	Member	3:30 pm Daily	346-S

**Delperdang, Leo****Term: 2017**

Energy, Utilities & Telecomm.	Member	9:00 am Tue/Thu	582-N
Transportation	Vice-Chair	1:30 pm Daily	582-N
Transp. & Public Safety Bdgt.	Member	3:30 pm Daily	118-N

**District: 94****Republican****Dodson, Michael****Term: 2021**

Veterans and Military	Member	9:00 am Tue/Thu	281-N
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm Daily	346-S
Elections	Member	3:30 pm Tue/Thu	218-N
Insurance and Pensions	Member	3:30 pm Mon/Wed	218-N

**District: 67****Republican****Donohoe, Owen****Term: 2007-2012; 2019**

Financial Inst. & Rural Dev.	Member	9:00 am Mon/Wed	218-N
Education	Member	1:30 pm Daily	218-N
Social Services Budget	Member	3:30 pm Daily	152-S

**District: 39****Republican****Ellis, Ronald****Term: 2017**

Veterans and Military	Vice-Chair	9:00 am Tue/Thu	281-N
Health and Human Services	Member	1:30 pm Daily	112-N
Transp. & Public Safety Bdgt.	Member	3:30 pm Daily	118-N

**District: 47****Republican****Eplee, John****Term: 2017**

Federal and State Affairs	Member	9:00 am Daily	346-S
Health and Human Services	Vice-Chair	1:30 pm Daily	112-N
Taxation	Member	3:30 pm Daily	346-S

**District: 63****Republican****Esau, Charlotte****Term: 2019**

Energy, Utilities & Telecomm.	Member	9:00 am Tue/Thu	582-N
Children and Seniors	Vice-Chair	1:30 pm Daily	152-S
Transp. & Public Safety Bdgt.	Member	3:30 pm Daily	118-N
Redistricting	Member	On Call	On Call

**District: 14****Republican****Estes, Susan****Term: 2021**

Appropriations	Member	9:00 am Daily	112-N
Education	Member	1:30 pm Daily	218-N
K-12 Education Budget	Member	3:30 pm Daily	546-S

**District: 87****Republican**

**Fairchild, Brett****Term: 2021**

Water	Member	9:00 am Daily	152-S
Higher Education Budget	Member	1:30 pm Daily	281-N
Agriculture	Member	3:30 pm Daily	112-N

**District: 113****Republican****Featherston, Linda****Term: 2021**

Local Government	Member	9:00 am Mon/Wed	281-N
Education	Member	1:30 pm Daily	218-N
Agriculture	Member	3:30 pm Daily	112-N

**District: 16****Democrat****Finch, Blaine****Term: 2013**

Calendar and Printing	Member	On Call	On Call
Interstate Cooperation	Vice-Chair	On Call	On Call
House Legislative Budget	Member	On Call	On Call
Leg. Coordinating Council	Member	On Call	On Call

**District: 59****Republican****Finney, Gail****Term: 2009**

Financial Inst. & Rural Dev.	Member	9:00 am Mon/Wed	218-N
Insurance and Pensions	Member	3:30 pm Mon/Wed	218-N
Jt. Corr. & Juv. Justice Overs.	Member	On Call	On Call
Jt. Fiduciary Fin. Inst. Overs.	Member	On Call	On Call

**District: 84****Democrat****Francis, Shannon****Term: 2015**

Appropriations	Member	9:00 am Daily	112-N
Transportation	Member	1:30 pm Daily	582-N
Transp. & Public Safety Bdgt.	Chair	3:30 pm Daily	118-N

**District: 125****Republican****French, David****Term: 2019**

Veterans and Military	Member	9:00 am Tue/Thu	281-N
Corrections & Juvenile Justice	Member	1:30 pm Daily	546-S
General Government Budget	Member	3:30 pm Daily	281-N

**District: 40****Republican****Garber, Randy****Term: 2011**

Federal and State Affairs	Member	9:00 am Daily	346-S
Ag & Natural Resources Bdgt.	Member	1:30 pm Daily	118-N
Insurance and Pensions	Member	3:30 pm Mon/Wed	218-N
Jt. State-Tribal Relations	Member	On Call	On Call

**District: 62****Republican**

**Gartner, Jim****Term: 6-22-2016**

Energy, Utilities & Telecomm.	Member	9:00 am Tue/Thu	582-N
Ag & Natural Resources Bdgt.	Member	1:30 pm Daily	118-N
Taxation	*RM Member	3:30 pm Daily	346-S
Legislative Post Audit	Member	On Call	On Call

**Haswood, Christina****Term: 2021**

Water	Member	9:00 am Daily	152-S
Health and Human Services	Member	1:30 pm Daily	112-N
Agriculture	Member	3:30 pm Daily	112-N
Jt. State-Tribal Relations	Member	On Call	On Call

**Hawkins, Daniel****Term: 2013**

Calendar and Printing	Chair	On Call	On Call
Interstate Cooperation	Member	On Call	On Call
House Legislative Budget	Member	On Call	On Call
Leg. Coordinating Council	Member	On Call	On Call

**Helgerson, Henry****Term: 1983-2000; 1-5-2016**

Appropriations	Member	9:00 am Daily	112-N
Transportation	*RM Member	1:30 pm Daily	582-N
Taxation	Member	3:30 pm Daily	346-S
House Legislative Budget	Member	On Call	On Call

**Helmer, Cheryl****Term: 2019**

Local Government	Member	9:00 am Mon/Wed	281-N
Children and Seniors	Member	1:30 pm Daily	152-S
Social Services Budget	Member	3:30 pm Daily	152-S

**Henderson, Broderick****Term: 1995**

Federal and State Affairs	Member	9:00 am Daily	346-S
Health and Human Services	Member	1:30 pm Daily	112-N
Jt. Pensions, Invest. & Ben.	Member	On Call	On Call

**Highberger, Dennis "Boog"****Term: 2015**

Federal and State Affairs	Member	9:00 am	Daily	346-S
Corrections & Juvenile Justice	*RM Member	1:30 pm	Daily	546-S
Judiciary	Member	3:30 pm	Daily	582-N
Jt. Corr. & Juv. Justice Overs.	Member	On Call		On Call
Rules and Journal	Vice-Chair	On Call		On Call

**Highland, Ron****Term: 2013**

Water	Chair	9:00 am	Daily	152-S
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm	Daily	346-S
Taxation	Member	3:30 pm	Daily	346-S
Rules and Journal	Member	On Call		On Call

**Hoffman, Kyle****Term: 2011**

Appropriations	Vice-Chair	9:00 am	Daily	112-N
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm	Daily	346-S
K-12 Education Budget	Vice-Chair	3:30 pm	Daily	546-S
Jt. Corr. & Juv. Justice Overs.	Member	On Call		On Call
Joint Information Technology	Chair	On Call		On Call
House Legislative Budget	Vice-Chair	On Call		On Call
Redistricting	Member	On Call		On Call

**Hoheisel, Nick****Term: 2019**

Financial Inst. & Rural Dev.	Vice-Chair	9:00 am	Mon/Wed	218-N
Transportation	Member	1:30 pm	Daily	582-N
Judiciary	Member	3:30 pm	Daily	582-N
Jt. Fiduciary Fin. Inst. Overs.	Member	On Call		On Call
Redistricting	Member	On Call		On Call

**Houser, Michael****Term: 2013**

Federal and State Affairs	Member	9:00 am	Daily	346-S
Jt. State Building Construction	Member	12:00 pm		159-S
Transportation	Member	1:30 pm	Daily	582-N
Transp. & Public Safety Bdgt.	Member	3:30 pm	Daily	118-N
Kansas Security (Joint)	Member	On Call		On Call

**Howard, Ron****Term: 2019****District: 98****Republican**

Local Government	Member	9:00 am Mon/Wed	281-N
Veterans and Military	Member	9:00 am Tue/Thu	281-N
Ag & Natural Resources Bdgt.	Member	1:30 pm Daily	118-N
Social Services Budget	Member	3:30 pm Daily	152-S

**Howe, Steven****Term: 2021****District: 71****Republican**

Federal and State Affairs	Member	9:00 am Daily	346-S
Transportation	Member	1:30 pm Daily	582-N
Insurance and Pensions	Member	3:30 pm Mon/Wed	218-N

**Hoye, Jo Ella****Term: 2021****District: 17****Democrat**

Federal and State Affairs	Member	9:00 am Daily	346-S
Children and Seniors	Member	1:30 pm Daily	152-S
K-12 Education Budget	Member	3:30 pm Daily	546-S

**Huebert, Steve****Term: 2001****District: 90****Republican**

Education	Chair	1:30 pm Daily	218-N
K-12 Education Budget	Member	3:30 pm Daily	546-S
Joint Information Technology	Member	On Call	On Call
Redistricting	Member	On Call	On Call

**Humphries, Susan****Term: 2017****District: 99****Republican**

Appropriations	Member	9:00 am Daily	112-N
Jt. State Building Construction	Member	12:00 pm	159-S
Higher Education Budget	Chair	1:30 pm Daily	281-N
Judiciary	Member	3:30 pm Daily	582-N
Jt. Spec. Claims Against the St.	Member	On Call	On Call
Rules and Journal	Member	On Call	On Call

**Jacobs, Trevor****Term: 2017****District: 4****Republican**

Federal and State Affairs	Member	9:00 am Daily	346-S
Transportation	Member	1:30 pm Daily	582-N
Agriculture	Member	3:30 pm Daily	112-N

**Jennings, Russell****Term: 2013**

	<b>District: 122</b>	<b>Republican</b>	
Water	Member	9:00 am Daily	152-S
Corrections & Juvenile Justice	Chair	1:30 pm Daily	546-S
Judiciary	Member	3:30 pm Daily	582-N
Jt. Corr. & Juv. Justice Overs.	Member	On Call	On Call

**Johnson, Steven****Term: 2011**

	<b>District: 108</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm Daily	346-S
Insurance and Pensions	Chair	3:30 pm Mon/Wed	218-N
Jt. Pensions, Invest. & Ben.	Chair	On Call	On Call

**Johnson, Timothy****Term: 2021**

	<b>District: 38</b>	<b>Republican</b>	
Veterans and Military	Member	9:00 am Tue/Thu	281-N
Children and Seniors	Member	1:30 pm Daily	152-S
K-12 Education Budget	Member	3:30 pm Daily	546-S

**Kelly, Jim****Term: 2011**

	<b>District: 11</b>	<b>Republican</b>	
Financial Inst. & Rural Dev.	Chair	9:00 am Mon/Wed	218-N
Health and Human Services	Member	1:30 pm Daily	112-N
Taxation	Member	3:30 pm Daily	346-S
Jt. Fiduciary Fin. Inst. Overs.	Chair	On Call	On Call
Jt. Pensions, Invest. & Ben.	Member	On Call	On Call
Redistricting	Member	On Call	On Call

**Kessler, Tom****Term: 2021**

	<b>District: 96</b>	<b>Republican</b>	
Energy, Utilities & Telecomm.	Member	9:00 am Tue/Thu	582-N
Financial Inst. & Rural Dev.	Member	9:00 am Mon/Wed	218-N
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm Daily	346-S
Taxation	Member	3:30 pm Daily	346-S

**Kuether, Annie****Term: 1997**

	<b>District: 55</b>	<b>Democrat</b>	
Energy, Utilities & Telecomm.	*RM Member	9:00 am Tue/Thu	582-N
Corrections & Juvenile Justice	Member	1:30 pm Daily	546-S
Judiciary	Member	3:30 pm Daily	582-N
Jt. Admin. Rules & Regs	Member	On Call	On Call
Jt. Pensions, Invest. & Ben.	Member	On Call	On Call

**Landwehr, Brenda****Term: 1995-2012; 2017****District: 105****Republican**

Appropriations	Member	9:00 am Daily	112-N
Health and Human Services	Chair	1:30 pm Daily	112-N
K-12 Education Budget	Member	3:30 pm Daily	546-S
Redistricting	Member	On Call	On Call
Robert G. (Bob) Bethell Jt. Comm. on HCBS & KanCare Oversight	Vice-Chair	On Call	On Call

**Lee, Tatum****Term: 2021****District: 117****Republican**

Local Government	Member	9:00 am Mon/Wed	281-N
Ag & Natural Resources Bdgt.	Member	1:30 pm Daily	118-N
Elections	Member	3:30 pm Tue/Thu	218-N

**Long, Marty****Term: 2019****District: 124****Republican**

Local Government	Member	9:00 am Mon/Wed	281-N
Jt. State Building Construction	Chair	12:00 pm	159-S
Commerce, Lbr. & Econ. Dev.	Vice-Chair	1:30 pm Daily	346-S
Judiciary	Member	3:30 pm Daily	582-N

**Lynn, Megan****Term: 2019****District: 49****Republican**

Financial Inst. & Rural Dev.	Member	9:00 am Mon/Wed	218-N
Health and Human Services	Member	1:30 pm Daily	112-N
Social Services Budget	Vice-Chair	3:30 pm Daily	152-S
Robert G. (Bob) Bethell Jt. Comm. on HCBS & KanCare Oversight	Member	On Call	On Call

**Mason, Les****Term: 2014****District: 73****Republican**

Energy, Utilities & Telecomm.	Member	9:00 am Tue/Thu	582-N
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm Daily	346-S
Taxation	Vice-Chair	3:30 pm Daily	346-S
Calendar and Printing	Member	On Call	On Call
Interstate Cooperation	Member	On Call	On Call

**Miller, Vic****Term: 1979-1984; 2018-2019; 2021**     **District: 58**     **Democrat**

Federal and State Affairs	Member	9:00 am	Daily	346-S
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm	Daily	346-S
Elections	*RM Member	3:30 pm	Tue/Thu	218-N
Insurance and Pensions	Member	3:30 pm	Mon/Wed	218-N
Jt. Spec. Claims Against the St.	Member	On Call		On Call
Redistricting	Member	On Call		On Call

**Minnix, Jim****Term: 2021**     **District: 118**     **Republican**

Water	Member	9:00 am	Daily	152-S
Transportation	Member	1:30 pm	Daily	582-N
Agriculture	Member	3:30 pm	Daily	112-N

**Moser, Lisa****Term: 2021**     **District: 106**     **Republican**

Federal and State Affairs	Member	9:00 am	Daily	346-S
Children and Seniors	Member	1:30 pm	Daily	152-S
Agriculture	Member	3:30 pm	Daily	112-N

**Murphy, Michael****Term: 2021**     **District: 114**     **Republican**

Water	Member	9:00 am	Daily	152-S
Education	Member	1:30 pm	Daily	218-N
Agriculture	Member	3:30 pm	Daily	112-N

**Neelly, Lance****Term: 2021**     **District: 42**     **Republican**

Financial Inst. & Rural Dev.	Member	9:00 am	Mon/Wed	218-N
Veterans and Military	Member	9:00 am	Tue/Thu	281-N
Transportation	Member	1:30 pm	Daily	582-N
Judiciary	Member	3:30 pm	Daily	582-N

**Neighbor, Cindy****Term: 2003-2004; 2007-2010; 2017**     **District: 18**     **Democrat**

Energy, Utilities & Telecomm.	Member	9:00 am	Tue/Thu	582-N
Children and Seniors	Member	1:30 pm	Daily	152-S
Elections	Member	3:30 pm	Tue/Thu	218-N
Insurance and Pensions	*RM Member	3:30 pm	Mon/Wed	218-N

**Newland, Joe****Term: 2021**

	<b>District: 13</b>	<b>Republican</b>	
Water	Member	9:00 am Daily	152-S
Ag & Natural Resources Bdgt.	Vice-Chair	1:30 pm Daily	118-N
Agriculture	Member	3:30 pm Daily	112-N
Jt. Admin. Rules & Regs	Member	On Call	On Call

**Ohaebosim, KC****Term: 2017**

	<b>District: 89</b>	<b>Democrat</b>	
Energy, Utilities & Telecomm.	Member	9:00 am Tue/Thu	582-N
Transportation	Member	1:30 pm Daily	582-N
Judiciary	Member	3:30 pm Daily	582-N

**Orr, Boyd****Term: 2017**

	<b>District: 115</b>	<b>Republican</b>	
Water	Vice-Chair	9:00 am Daily	152-S
Education	Member	1:30 pm Daily	218-N
Agriculture	Member	3:30 pm Daily	112-N

**Ousley, Jarrod****Term: 2014**

	<b>District: 24</b>	<b>Democrat</b>	
Local Government	Member	9:00 am Mon/Wed	281-N
Jt. State Building Construction	Member	12:00 pm	159-S
Children and Seniors	*RM Member	1:30 pm Daily	152-S
K-12 Education Budget	Member	3:30 pm Daily	546-S
Kansas Security (Joint)	Member	On Call	On Call

**Owens, Stephen****Term: 2019**

	<b>District: 74</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Corrections & Juvenile Justice	Vice-Chair	1:30 pm Daily	546-S
Judiciary	Member	3:30 pm Daily	582-N
Jt. Corr. & Juv. Justice Overs.	Member	On Call	On Call
Jt. Fiduciary Fin. Inst. Overs.	Member	On Call	On Call

**Parker, Brett****Term: 2017**

	<b>District: 29</b>	<b>Democrat</b>	
Appropriations	Member	9:00 am Daily	112-N
Health and Human Services	*RM Member	1:30 pm Daily	112-N
Elections	Member	3:30 pm Tue/Thu	218-N
Insurance and Pensions	Member	3:30 pm Mon/Wed	218-N

**Patton, Fred****Term: 2015**

Corrections & Juvenile Justice	Member	1:30 pm Daily	546-S
Judiciary	Chair	3:30 pm Daily	582-N
Redistricting	Member	On Call	On Call
Rules and Journal	Chair	On Call	On Call

**District: 50****Republican****Penn, Patrick****Term: 2021**

Federal and State Affairs	Member	9:00 am Daily	346-S
Children and Seniors	Member	1:30 pm Daily	152-S
K-12 Education Budget	Member	3:30 pm Daily	546-S

**District: 85****Republican****Poetter, Samantha****Term: 2021**

Federal and State Affairs	Member	9:00 am Daily	346-S
Corrections & Juvenile Justice	Member	1:30 pm Daily	546-S
Taxation	Member	3:30 pm Daily	346-S

**District: 6****Republican****Poskin, Mari-Lynn****Term: 2021**

Financial Inst. & Rural Dev.	Member	9:00 am Mon/Wed	218-N
Veterans and Military	Member	9:00 am Tue/Thu	281-N
Education	Member	1:30 pm Daily	218-N
Transp. & Public Safety Bdgt.	Member	3:30 pm Daily	118-N

**District: 20****Democrat****Probst, Jason****Term: 6-26-2017**

Commerce, Lbr. & Econ. Dev.	Member	1:30 pm Daily	346-S
Agriculture	Member	3:30 pm Daily	112-N
Redistricting	Member	On Call	On Call

**District: 102****Democrat****Proctor, Pat****Term: 2021**

Veterans and Military	Member	9:00 am Tue/Thu	281-N
Transportation	Member	1:30 pm Daily	582-N
Elections	Member	3:30 pm Tue/Thu	218-N
Insurance and Pensions	Member	3:30 pm Mon/Wed	218-N

**District: 41****Republican****Proehl, Richard****Term: 2005**

Appropriations	Member	9:00 am Daily	112-N
Transportation	Chair	1:30 pm Daily	582-N
Taxation	Member	3:30 pm Daily	346-S

**District: 7****Republican**

**Rahjes, Ken****Term: 12-29-2015**

	<b>District: 110</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Higher Education Budget	Member	1:30 pm Daily	281-N
Agriculture	Chair	3:30 pm Daily	112-N

**Ralph, Bradley****Term: 2017**

	<b>District: 119</b>	<b>Republican</b>	
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm Daily	346-S
Judiciary	Vice-Chair	3:30 pm Daily	582-N
Jt. Spec. Claims Against the St.	Vice-Chair	On Call	On Call
Redistricting	Vice-Chair	On Call	On Call
Rules and Journal	Member	On Call	On Call

**Resman, John****Term: 2-16-2017**

	<b>District: 121</b>	<b>Republican</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Corrections & Juvenile Justice	Member	1:30 pm Daily	546-S
Transp. & Public Safety Bdgt.	Vice-Chair	3:30 pm Daily	118-N
Jt. Corr. & Juv. Justice Overs.	Member	On Call	On Call

**Rhiley, Bill****Term: 2019**

	<b>District: 80</b>	<b>Republican</b>	
Water	Member	9:00 am Daily	152-S
Higher Education Budget	Member	1:30 pm Daily	281-N
Insurance and Pensions	Member	3:30 pm Mon/Wed	218-N

**Ruiz, Susan****Term: 2019**

	<b>District: 23</b>	<b>Democrat</b>	
Veterans and Military	*RM Member	9:00 am Tue/Thu	281-N
Health and Human Services	Member	1:30 pm Daily	112-N
Social Services Budget	Member	3:30 pm Daily	152-S
Robert G. (Bob) Bethell Jt. Comm. on	Member	On Call	On Call
HCBS & KanCare Oversight			

**Ruiz, Louis****Term: 2005**

	<b>District: 31</b>	<b>Democrat</b>	
Federal and State Affairs	*RM Member	9:00 am Daily	346-S
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm Daily	346-S
Kansas Security (Joint)	Member	On Call	On Call

**Ryckman, Ron****Term: 2013**

Calendar and Printing	<b>District: 78</b> Vice-Chair	<b>Republican</b> On Call	On Call
Interstate Cooperation	Chair	On Call	On Call
House Legislative Budget	Member	On Call	On Call
Leg. Coordinating Council	Vice-Chair	On Call	On Call

**Samsel, Mark****Term: 2019**

Energy, Utilities & Telecomm.	<b>District: 5</b> Member	<b>Republican</b> 9:00 am Tue/Thu	582-N
Financial Inst. & Rural Dev.	Member	9:00 am Mon/Wed	218-N
Education	Member	1:30 pm Daily	218-N
Judiciary	Member	3:30 pm Daily	582-N
Jt. Spec. Claims Against the St.	Member	On Call	On Call

**Sanders, Clarke****Term: 2021**

Local Government	<b>District: 69</b> Member	<b>Republican</b> 9:00 am Mon/Wed	281-N
Education	Member	1:30 pm Daily	218-N
Taxation	Member	3:30 pm Daily	346-S

**Sawyer, Tom****Term: 1987-1998; 2003-2009; 2013**

Leg. Coordinating Council	<b>District: 95</b> Member	<b>Democrat</b> On Call	On Call
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**Schreiber, Mark****Term: 2017**

Energy, Utilities & Telecomm.	<b>District: 60</b> Vice-Chair	<b>Republican</b> 9:00 am Tue/Thu	582-N
Education	Member	1:30 pm Daily	218-N
Judiciary	Member	3:30 pm Daily	582-N

**Seiwert, Joe****Term: 2009**

Energy, Utilities & Telecomm.	<b>District: 101</b> Chair	<b>Republican</b> 9:00 am Tue/Thu	582-N
Transportation	Member	1:30 pm Daily	582-N
Agriculture	Member	3:30 pm Daily	112-N

**Smith, Adam****Term: 2017**

Water	<b>District: 120</b> Member	<b>Republican</b> 9:00 am Daily	152-S
Health and Human Services	Member	1:30 pm Daily	112-N
Taxation	Chair	3:30 pm Daily	346-S
Redistricting	Member	On Call	On Call
Rules and Journal	Member	On Call	On Call

**Smith, Charles****Term: 2015**

	<b>District: 3</b>	<b>Republican</b>	
Energy, Utilities & Telecomm.	Member	9:00 am Tue/Thu	582-N
Children and Seniors	Member	1:30 pm Daily	152-S
Elections	Member	3:30 pm Tue/Thu	218-N
Insurance and Pensions	Member	3:30 pm Mon/Wed	218-N

**Smith, Eric****Term: 2017**

	<b>District: 76</b>	<b>Republican</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Corrections & Juvenile Justice	Member	1:30 pm Daily	546-S
Agriculture	Vice-Chair	3:30 pm Daily	112-N
Kansas Security (Joint)	Chair	On Call	On Call

**Stogsdill, Jerry****Term: 2017**

	<b>District: 21</b>	<b>Democrat</b>	
Water	Member	9:00 am Daily	152-S
Education	*RM Member	1:30 pm Daily	218-N
Taxation	Member	3:30 pm Daily	346-S

**Sutton, Bill****Term: 2012**

	<b>District: 43</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm Daily	346-S
General Government Budget	Chair	3:30 pm Daily	281-N
Jt. Admin. Rules & Regs	Member	On Call	On Call
Redistricting	Member	On Call	On Call

**Tarwater, Sean****Term: 2017**

	<b>District: 27</b>	<b>Republican</b>	
Appropriations	Member	9:00 am Daily	112-N
Commerce, Lbr. & Econ. Dev.	Chair	1:30 pm Daily	346-S
K-12 Education Budget	Member	3:30 pm Daily	546-S
Jt. Pensions, Invest. & Ben.	Member	On Call	On Call

**Thomas, Adam****Term: 2019**

	<b>District: 26</b>	<b>Republican</b>	
Water	Member	9:00 am Daily	152-S
Education	Vice-Chair	1:30 pm Daily	218-N
K-12 Education Budget	Member	3:30 pm Daily	546-S

**Thompson, Kent****Term: 2013**Local Government  
Children and Seniors  
Agriculture**District: 9**Chair  
Member  
Member**Republican**9:00 am Mon/Wed 281-N  
1:30 pm Daily 152-S  
3:30 pm Daily 112-N**Toplikar, John****Term: 1999-2002; 2019**Financial Inst. & Rural Dev.  
Transportation  
Elections  
Insurance and Pensions  
Legislative Post Audit**District: 15**Member  
Member  
Member  
Member  
Member**Republican**9:00 am Mon/Wed 218-N  
1:30 pm Daily 582-N  
3:30 pm Tue/Thu 218-N  
3:30 pm Mon/Wed 218-N  
On Call On Call**Turner, Carl****Term: 2021**Energy, Utilities & Telecomm.  
Health and Human Services  
Taxation  
Jt. Pensions, Invest. & Ben.**District: 28**Member  
Member  
Member  
Member**Republican**9:00 am Tue/Thu 582-N  
1:30 pm Daily 112-N  
3:30 pm Daily 346-S  
On Call On Call**Vaughn, Lindsay****Term: 2021**Water  
Children and Seniors  
Social Services Budget**District: 22**Member  
Member  
Member**Democrat**9:00 am Daily 152-S  
1:30 pm Daily 152-S  
3:30 pm Daily 152-S**Victors, Ponka-We****Term: 2011**Veterans and Military  
Transportation  
Transp. & Public Safety Bdgt.  
Jt. State-Tribal Relations**District: 103**Member  
Member  
Member  
Member**Democrat**9:00 am Tue/Thu 281-N  
1:30 pm Daily 582-N  
3:30 pm Daily 118-N  
On Call On Call**Waggoner, Paul****Term: 2021**Federal and State Affairs  
Children and Seniors  
General Government Budget  
Jt. Admin. Rules & Regs**District: 104**Member  
Member  
Vice-Chair  
Member**Republican**9:00 am Daily 346-S  
1:30 pm Daily 152-S  
3:30 pm Daily 281-N  
On Call On Call

**Wasinger, Barbara****Term: 2019**

Financial Inst. & Rural Dev.	<b>District: 111</b> Member	<b>Republican</b> 9:00 am Mon/Wed	218-N
Higher Education Budget	Vice-Chair	1:30 pm Daily	281-N
Taxation	Member	3:30 pm Daily	346-S
Jt. Admin. Rules & Regs	Chair	On Call	On Call

**Waymaster, Troy****Term: 2013**

Appropriations	<b>District: 109</b> Chair	<b>Republican</b> 9:00 am Daily	112-N
House Legislative Budget	Chair	On Call	On Call

**Weigel, Virgil****Term: 2013**

Financial Inst. & Rural Dev.	<b>District: 56</b> Member	<b>Democrat</b> 9:00 am Mon/Wed	218-N
Veterans and Military	Member	9:00 am Tue/Thu	281-N
Transportation	Member	1:30 pm Daily	582-N
Transp. & Public Safety Bdgt.	*RM Member	3:30 pm Daily	118-N

**Wheeler, John****Term: 2017**

Local Government	<b>District: 123</b> Member	<b>Republican</b> 9:00 am Mon/Wed	281-N
Corrections & Juvenile Justice	Member	1:30 pm Daily	546-S
Judiciary	Member	3:30 pm Daily	582-N
Jt. State-Tribal Relations	Member	On Call	On Call

**Williams, Kristey****Term: 2015**

Appropriations	<b>District: 77</b> Member	<b>Republican</b> 9:00 am Daily	112-N
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm Daily	346-S
K-12 Education Budget	Chair	3:30 pm Daily	546-S
Legislative Post Audit	Member	On Call	On Call

**Winn, Valdenia****Term: 2001**

Higher Education Budget	<b>District: 34</b> Member	<b>Democrat</b> 1:30 pm Daily	281-N
K-12 Education Budget	*RM Member	3:30 pm Daily	546-S
Interstate Cooperation	*RM Member	On Call	On Call
Jt. Admin. Rules & Regs	Member	On Call	On Call

**Wolfe Moore, Kathy****Term: 2011**

	<b>District: 36</b>	<b>Democrat</b>	
Appropriations	*RM Member	9:00 am Daily	112-N
Education	Member	1:30 pm Daily	218-N
General Government Budget	Member	3:30 pm Daily	281-N
House Legislative Budget	*RM Member	On Call	On Call

**Woodard, Brandon****Term: 2019**

	<b>District: 30</b>	<b>Democrat</b>	
Federal and State Affairs	Member	9:00 am Daily	346-S
Higher Education Budget	*RM Member	1:30 pm Daily	281-N
Taxation	Member	3:30 pm Daily	346-S
Calendar and Printing	*RM Member	On Call	On Call

**Xu, Rui****Term: 2019**

	<b>District: 25</b>	<b>Democrat</b>	
Financial Inst. & Rural Dev.	*RM Member	9:00 am Mon/Wed	218-N
Commerce, Lbr. & Econ. Dev.	Member	1:30 pm Daily	346-S
Agriculture	Member	3:30 pm Daily	112-N
Calendar and Printing	Member	On Call	On Call
Jt. Fiduciary Fin. Inst. Overs.	Member	On Call	On Call
Joint Information Technology	Member	On Call	On Call
Jt. Pensions, Invest. & Ben.	Member	On Call	On Call





**Constitutional Provisions  
Governing  
the  
Kansas Legislature**



**State of Kansas**



## KANSAS CONSTITUTIONAL PROVISIONS CONCERNING LEGISLATIVE POWERS

### Article 2.—LEGISLATIVE

**§ 1. Legislative power.**—The legislative power of this state shall be vested in a house of representatives and senate.

**§ 2. Senators and representatives.**—The number of representatives and senators shall be regulated by law, but shall not exceed one hundred twenty-five representatives and forty senators. Representatives and senators shall be elected from single-member districts prescribed by law. Representatives shall be elected for two year terms. Senators shall be elected for four year terms. The terms of representatives and senators shall commence on the second Monday of January of the year following election.

**§ 3. Compensation of members of legislature.**—The members of the legislature shall receive such compensation as may be provided by law or such compensation as is determined according to law.

**§ 4. Qualifications of members.**—During the time that any person is a candidate for nomination or election to the legislature and during the term of each legislator, such candidate or legislator shall be and remain a qualified elector who resides in his or her district.

**§ 5. Eligibility and disqualification of members.**—No member of congress and no civil officer or employee of the United States or of any department, agency, or instrumentality thereof shall be eligible to be a member of the legislature. Any member of the legislature who accepts any appointment or election contrary to the foregoing shall be disqualified as a member of the legislature.

**§ 6.** This section was eliminated by the 1974 revision of this article.

**§ 7.** This section was eliminated by the 1974 revision of this article.

**§ 8. Organization and sessions.**—The legislature shall meet in regular session annually commencing on the second Monday in January, and all sessions shall be held at the state capital. The duration of regular sessions held in even-numbered years shall not exceed ninety calendar days. Such sessions may be extended beyond ninety calendar days by an affirmative vote of two-thirds of the members elected to each house. Bills and concurrent resolutions under consideration by the legislature upon adjournment of a regular session held in an odd-numbered year may be considered at the next succeeding regular session held in an even-numbered year, as if there had been no such adjournment.

The legislature shall be organized concurrently with the terms of representatives except that the senate shall remain organized during the terms of senators. The president of the senate shall preside over the senate, and the speaker of the house of representatives shall preside over the house of representatives. A majority of the members then elected (or appointed) and qualified of the house of representatives or the senate shall constitute a quorum of that house. Neither house, without the consent of the

other, shall adjourn for more than two days, Sundays excepted.

Each house shall elect its presiding officer and determine the rules of its proceedings, except that the two houses may adopt joint rules on certain matters and provide for the manner of change thereof. Each house shall provide for the expulsion or censure of members in appropriate cases.

Each house shall be the judge of elections, returns and qualifications of its own members.

**§ 9. Vacancies in legislature.**—All vacancies occurring in either house shall be filled as provided by law.

**§ 10. Journals.**—Each house shall publish a journal of its proceedings. The affirmative and negative votes upon the final passage of every bill and every concurrent resolution for amendment of this constitution or ratification of an amendment to the Constitution of the United States shall be entered in the journal. Any member of either house may make written protest against any act or resolution, and the same shall be entered in the journal without delay or alteration.

**§ 11.** This section was eliminated by the 1974 revision of this article.

**§ 12. Origination by either house.**—Bills and concurrent resolutions may originate in either house, but may be amended or rejected by the other.

**§ 13. Majority for passage of bills.**—A majority of the members then elected (or appointed) and qualified of each house, voting in the affirmative, shall be necessary to pass any bill. Two-thirds (2/3) of the members then elected (or appointed) and qualified in each house, voting in the affirmative, shall be necessary to ratify any amendment to the Constitution of the United States or to make any application for congress to call a convention for proposing amendments to the Constitution of the United States.

**§ 14. Approval of bills; vetoes.**—(a) Within ten days after passage, every bill shall be signed by the presiding officers and presented to the governor. If the governor approves a bill, he shall sign it. If the governor does not approve a bill, the governor shall veto it by returning the bill, with a veto message of the objections, to the house of origin of the bill. Whenever a veto message is so received, the message shall be entered in the journal and in not more than thirty calendar days (excluding the day received), the house of origin shall reconsider the bill. If two-thirds of the members then elected (or appointed) and qualified shall vote to pass the bill, it shall be sent, with the veto message, to the other house, which shall in not more than thirty calendar days (excluding the day received) also reconsider the bill, and if approved by two-thirds of the members then elected (or appointed) and qualified, it shall become a law, notwithstanding the governor's veto.

If any bill shall not be returned within ten calendar days (excluding the day presented) after it shall have been presented to the governor, it shall become a law in like manner as if it had been signed by the governor.

(b) If any bill presented to the governor contains several items of appropriation of money, one or more of such items may be disapproved by the governor while the other portion of the bill is approved by the governor. In case the governor does so disapprove, a veto message of the governor stating the item or items disapproved, and the reasons

therefor, shall be appended to the bill at the time it is signed, and the bill shall be returned with the veto message to the house of origin of the bill. Whenever a veto message is so received, the message shall be entered in the journal and, in not more than thirty calendar days, the house of origin shall reconsider the items of the bill which have been disapproved. If two-thirds of the members then elected (or appointed) and qualified shall vote to approve any item disapproved by the governor, the bill, with the veto message, shall be sent to the other house, which shall in not more than thirty calendar days also reconsider each such item so approved by the house of origin, and if approved by two-thirds of all the members then elected (or appointed) and qualified, any such item shall take effect and become a part of the bill.

**§ 15. Requirements before bill passed.**—No bill shall be passed on the day that it is introduced, unless in case of emergency declared by two-thirds of the members present in the house where a bill is pending.

**§ 16. Subject and title of bills; amendment or revival of statutes.**—No bill shall contain more than one subject, except appropriation bills and bills for revision or codification of statutes. The subject of each bill shall be expressed in its title. No law shall be revived or amended, unless the new act contain the entire act revived or the section or sections amended, and the section or sections so amended shall be repealed. The provisions of this section shall be liberally construed to effectuate the acts of the legislature.

**§ 17. Uniform operation of laws of a general nature.**—All laws of a general nature shall have a uniform operation throughout the state: *Provided*, The legislature may designate areas in counties that have become urban in character as “urban areas” and enact special laws giving to any one or more of such counties or urban areas such powers of local government and consolidation of local government as the legislature may deem proper.

**§ 18. Election or appointment of officers; filling vacancies.**—The legislature may provide for the election or appointment of all officers and the filling of all vacancies not otherwise provided for in this constitution.

**§ 19. Publication of acts.**—No act shall take effect until the enacting bill is published as provided by law.

**§ 20. Enacting clause of bills; laws enacted only by bill.**—The enacting clause of all bills shall be “Be it enacted by the Legislature of the State of Kansas:”. No law shall be enacted except by bill.

**§ 21. Delegation of powers’ of local legislation and administration.**—The legislature may confer powers of local legislation and administration upon political subdivisions.

**§ 22. Legislative immunity.**—For any speech, written document or debate in either house, the members shall not be questioned elsewhere. No member of the legislature shall be subject to arrest—except for treason, felony or breach of the peace—in going to, or returning from, the place of meeting, or during the continuance of the session;

neither shall he be subject to the service of any civil process during the session, nor for fifteen days previous to its commencement.

§ 23. This section was eliminated by the 1974 revision of this article.

§ 24. **Appropriations.**—No money shall be drawn from the treasury except in pursuance of a specific appropriation made by law.

§ 25. This section was eliminated by the 1974 revision of this article.

§ 26. **This section was repealed by the adoption of 1972 HCR 1097, on Aug. 1, 1972.**

§ 27. **Impeachment.**—The house of representatives shall have the sole power to impeach. All impeachments shall be tried by the senate; and when sitting for that purpose, the senators shall take an oath to do justice according to the law and the evidence. No person shall be convicted without the concurrence of two-thirds of the senators then elected (or appointed) and qualified.

§ 28. **Officers impeachable; grounds; punishment.**—The governor and all other officers under this constitution, shall be removed from office on impeachment for, and conviction of treason, bribery, or other high crimes and misdemeanors.

§ 29. This section was eliminated by the 1974 revision of this article.

§ 30. **Delegations to interstate bodies.**—The legislature may confer legislative powers upon interstate bodies, comprised of officers of this state or its political subdivisions acting in conjunction with officers of other jurisdictions, relating to the functions thereof. Any such delegation, and any agreement made thereunder shall be subject to limitation, change or termination by the legislature, unless contained in a compact approved by the congress.

**Joint Rules of the  
Senate and  
House of Representatives**



**2021-2022  
Biennium**

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# Joint Rules of the Senate and House of Representatives 2021-2022 Biennium

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## **Joint Rule 1. Joint rules; application and date of expiration; adoption, amendment, suspension and revocation.**

*(a) Joint rules; expiration, adoption, amendment, suspension and revocation; vote required.*

Joint rules are adopted under the authority of section 8 of article 2 of the Constitution of the State of Kansas and shall govern matters made subject thereto except when otherwise specifically provided by joint rule. Joint rules shall expire at the conclusion of the terms of representatives. Joint rules shall be adopted, amended, suspended and revoked by concurrent resolution of the two houses of the legislature. Concurrent resolutions adopting joint rules shall receive the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house.

*(b) Amendment, suspension or revocation of joint rules; previous notice; vote required.*

After one day's previous notice, joint rules may be amended, suspended or revoked by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house. Upon the filing of such notice in either house, a message shall be sent to the other house advising of the filing of such notice and the reading of the message shall constitute notice to the members of such house. If such previous notice is not given, the affirmative vote of 2/3 of the members then elected (or appointed) and qualified in each house shall be required for the amendment, suspension or revocation of a joint rule.

*(c) Amendment, suspension or revocation of joint rules at commencement of legislative session; vote required; conditions.*

Notwithstanding any provision of this rule to the contrary, no notice shall be required for the adoption of a concurrent resolution amending, suspending or revoking any one or more joint rules at the commencement of a legislative session, and adoption of any such concurrent resolution shall require only the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house, subject to the following conditions: (1) The concurrent resolution is sponsored by the speaker or the president; and (2) either: (a) A copy thereof is mailed to each member of the legislature by deposit in the United States mails not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence; or (b) in lieu of mailing, copies of the concurrent resolution are made available to members on the first day of the legislative session and final action is taken on a subsequent legislative day.

**Joint Rule 2. Joint sessions.**

(a) *Joint session called by concurrent resolution; vote required; time, place and subject matter.*

A joint session of the senate and house of representatives may be called by concurrent resolution adopted by the affirmative vote of not less than a majority of the members elected (or appointed) and qualified in each house of the legislature or as may otherwise be prescribed by law. Any such resolution shall fix the time and place of the joint session, and the subject matter to be considered at the joint session. Joint sessions shall consider only such matters as are prescribed by law or by the concurrent resolution calling such joint session.

(b) *Presiding officer at joint sessions; record of joint session; rules applicable.*

The speaker of the house of representatives shall preside at all joint sessions of the senate and house of representatives, and the clerk of the house of representatives shall keep a record of the proceedings thereof and shall enter the record of each such session in the journal of the house of representatives. The rules of the house of representatives and the joint rules of the two houses, insofar as the same may be applicable shall be the rules for joint sessions of the two houses.

(c) *Votes in joint session; taking; requirements.*

All votes in a joint session shall be taken by yeas and nays, and in taking the same it shall be the duty of the secretary of the senate first to call the names of the members of the senate, and after which the clerk of the house of representatives shall in like manner call the names of the members of the house. Each member of the senate and the house of representatives present shall be required to vote on all matters considered in joint session, unless excused by a vote of a majority of the members of both houses present.

**Joint Rule 3. Conference committee procedure.**

(a) *Action by house of origin of bill or concurrent resolution amended by other house.*

When a bill or concurrent resolution is returned to the house of origin with amendments by the other house, the house of origin may: (1) Concur in such amendments; (2) refuse to concur in such amendments; or (3) refuse to concur in such amendments and request a conference on the bill or concurrent resolution.

(b) *Concurrence by house of origin; concurrence prior to taking action on conference committee report by other house; final action; effect of failure of motion to concur.*

The house of origin of any bill or concurrent resolution may concur in any amendments made by the other house, except that if the bill or concurrent resolution has been referred to a conference committee such action may only be taken prior to the taking of final action upon the conference committee report upon such bill or concurrent resolution by the other house. A vote in the house of origin of any bill or concurrent resolution on a motion to concur in amendments to such bill or concurrent resolution by the other house shall be considered action on the final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion to concur

is upon amendments to a bill or concurrent resolution for which a conference committee has been appointed and action has not been taken upon the report of such committee by the other house and such motion fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and the motion to concur may be renewed but not on the same legislative day. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has not been appointed and such motion fails, the bill or concurrent resolution shall be deemed to be killed.

*(c) Motion to nonconcur; when considered final action; effect of adoption of motion.*

A vote in the house of origin of any bill or concurrent resolution on a motion to nonconcur or to refuse to concur in amendments to such bill or concurrent resolution by the other house which is not coupled with a request for the appointment of a conference committee shall be considered action on final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal, and the bill or concurrent resolution shall be deemed killed on the adoption thereof.

*(d) House of origin refusal to concur or nonconcur; request for conference; procedure.*

When a bill or concurrent resolution is returned by either house to the house of origin with amendments, and the house of origin refuses to concur or to nonconcur therein, a conference may be requested by a majority vote of the members present and voting. Such request shall be transmitted to the other house by message which shall include the names of the conferees on the part of the requesting house. Upon receipt of any such message, the receiving house may, in like manner, approve such conference, and shall thereupon notify the requesting house by message stating the names of its conferees.

*(e) Membership; appointment; chairperson; house of origin of substitute or materially changed bill or concurrent resolution; meetings of conference committee.*

Each conference committee shall consist of three members of the senate and three members of the house of representatives, unless otherwise fixed by agreement of the president of the senate and speaker of the house. Senate members shall be appointed by the president of the senate and house members shall be appointed by the speaker of the house of representatives. The president or the speaker may replace any conferee previously appointed by such person. Not fewer than one member appointed from each house shall be a member of the minority political party of such house except when such representation for such house is waived by the minority leader of such house. In all cases, the first-named member of the house of origin of the bill or concurrent resolution assigned to the committee shall be chairperson of the conference committee. The house of origin of a substitute bill or substitute concurrent resolution shall be the house in which the bill or concurrent resolution in its original form was introduced. The chairperson of a conference committee on a bill or concurrent resolution the subject matter of which has been ruled to be materially changed shall be a member of the house which amended the bill or concurrent resolution to materially change the subject matter. Each conference committee shall meet on the call of its chairperson. All

meetings of conference committees shall be open to the public and no meeting shall be adjourned to another time or place in order to subvert such policy.

- (f) *Conference committee reports; matters which may be included; report not subject to amendment; house which acts first on report; copies of reports; reports considered under any order of business.*

Only subject matters which are or have been included in the bill or concurrent resolution in conference or in bills or concurrent resolutions which have been passed or adopted in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution except in any appropriations bill there may be included a proviso relating to any such item of appropriation. Subject to any limitations imposed under the constitution of the state of Kansas, no more than a total of four additional bills or concurrent resolutions or parts of bills or concurrent resolutions in conference or bills or concurrent resolutions or parts of bills or concurrent resolutions which have passed in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution, except that reports of conference committees on any taxation bill are not subject to the limitation contained in this provision. A conference committee report shall not be subject to amendment. The original signed conference committee report shall be submitted to and acted upon first by the house other than the house of origin of the bill or concurrent resolution. Except when a conference committee report is an agree to disagree coupled with a request that a new conference committee be appointed or is a recommendation to accede to or recede from all amendments of the second house, electronic and paper copies of the report shall be made available to all members of the house considering the report not later than 30 minutes before the time of its consideration, except that if the report is more than six pages in length no paper copies will be required to be distributed to individual members provided that at least 10 paper copies of the report are made available to members at the clerk's or secretary's desk at the front of the respective house. By written notice, the majority leader may direct the clerk or secretary to increase from six pages to some greater number of pages the size of conference committee reports that need not be distributed by paper copies to individual members pursuant to this rule. The affirmative vote of 2/3 of the members present in the house at the time of consideration of the report shall be sufficient to dispense with distribution of copies of the conference committee report to all members of that house. Reports of conference committees may be received and considered under any order of business.

- (g) *Signatures required on conference committee reports.*

All initial conference committee reports other than an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by all of the conferees. All initial conference committee reports which are an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by a majority of the conferees appointed in each house. If a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is not adopted, a subsequent conference committee report shall be signed by all conferees unless a subsequent conference committee report which is an agreement to disagree

coupled with a request that a new conference committee be appointed is adopted, in which case a conference committee report subsequent to the adoption of such report shall be signed by a majority of the conferees appointed in each house. All other conference committee reports shall be signed by a majority of the conferees appointed in each house.

*(h) Vote to adopt conference committee report final action; effect of failure of motion to adopt conference committee report.*

The vote to adopt the report of a conference committee, other than a report of failure to agree coupled with a recommendation for appointment of a new conference committee, shall be considered final action on the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion fails, the bill or concurrent resolution shall be deemed to be killed. If the motion on a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and remains in conference.

*(i) Report of conference committee unable to agree; effect of failure to request new conference committee; effect of failure of motion to adopt report requesting new conference committee.*

If a conference committee upon any bill or concurrent resolution is unable to agree, it shall report that fact to both houses. Such report may request that a new conference committee be appointed thereon. If the committee so reports but fails to request the appointment of a new conference committee thereon, the bill or concurrent resolution shall be deemed to have been killed upon the adoption by either house of such report. If the motion to adopt a report requesting the appointment of a new conference committee fails, the bill or concurrent resolution shall be deemed to be killed.

*(j) Bills or concurrent resolutions under consideration by conference committees and reports thereof; carryover from odd-numbered to even-numbered year.*

Bills or concurrent resolutions under consideration by a conference committee, or a report of which has been filed but no action taken thereon in either house, at the time of adjournment of a regular session of the legislature held in an odd-numbered year shall remain alive during the interim and may be considered by the committee and legislature as the case may be at the regular session held in the following even-numbered year.

#### **Joint Rule 4. Deadlines for introduction and consideration of bills.**

The senate and house of representatives shall observe the following schedule of deadlines in making requests for drafting and in the introduction and consideration of bills.

*(a) Bill request deadline for individual members.*

Except for bills introduced pursuant to (i) of this rule, no request to draft bills, except those made by committees, through their respective chairpersons, shall be made to, or accepted by, the office of the revisor of statutes after the hour of 5:00 p.m. on February 1, 2021, during the 2021 regular session and on January 31,

2022, during the 2022 regular session.

*(b) Bill introduction deadline for individual members.*

Except as provided in (i) of this rule, no bill sponsored by a member or members shall be introduced in either house of the legislature after the hour of adjournment on February 10, 2021, during the 2021 regular session and on February 9, 2022, during the 2022 regular session. Such deadline for the introduction of bills by individual members may be changed to an earlier date in either house at any time by resolution duly adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in such house.

*(c) Bill request deadline for certain committees.*

Except for bills to be introduced pursuant to (i) of this rule, no committee except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall make a request to the office of the revisor of statutes for any bill to be drafted for sponsorship by such committee after the hour of 5:00 p.m. on February 8, 2021, during the 2021 regular session and on February 7, 2022, during the 2022 regular session.

*(d) Bill introduction deadline for certain committees.*

Except as provided in (i) of this rule, no bill sponsored by any committee of either house of the legislature, except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be introduced in either house after the hour of adjournment on February 12, 2021, during the 2021 regular session and on February 11, 2022, during the 2022 regular session.

*(e) House of origin bill consideration deadline.*

No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered in the house in which such bill originated after the hour of adjournment on March 5, 2021, during the 2021 regular session and on February 24, 2022, during the 2022 regular session.

*(f) Second house bill consideration deadline.*

No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered by either house, not the house of origin of such bill, after the hour of adjournment on March 31, 2021, during the 2021 regular session and on March 23, 2022, during the 2022 regular session.

(g) *Exceptions to limitation of (d), (e) and (f); procedure.*

Specific exceptions to the limitations prescribed in subsections (d), (e) and (f) may be made in either house by resolution adopted by the affirmative vote of not less than a majority of the members of such house then elected (or appointed) and qualified.

(h) *Deadline which falls on day neither house in session; effect.*

In the event that any deadline prescribed in this rule falls on a day that neither house of the legislature is in session, such deadline shall be observed on the next following day that either house is in session.

(i) *Bills introduced in odd-numbered years after deadlines; effect.*

Bills may be introduced by members and committees in regular sessions occurring in an odd-numbered year after the times prescribed in (b) and (d) of this rule, but there shall be no final action thereon by either house during the session when introduced. Such bills shall be held over for consideration at the next succeeding regular session held in an even-numbered year.

(j) *Modification of schedule of deadlines for introduction and consideration of bills; procedure.*

In any regular session a concurrent resolution may be adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house setting forth a different schedule of deadlines for introduction and consideration of bills for that session and the provisions of such concurrent resolution shall apply to such session notwithstanding provisions of this rule to the contrary.

(k) *Bill consideration deadline; exceptions.*

No bills shall be considered by the Legislature after April 9, 2021, during the 2021 regular session and after April 1, 2022, during the 2022 regular session except bills vetoed by the governor, the omnibus appropriation act and the omnibus reconciliation spending limit bill provided for under K.S.A. 75-6702, and amendments thereto. This subsection (k) may be suspended for the consideration of a specific bill or bills not otherwise exempt under this subsection by the affirmative vote of a majority of the members then elected (or appointed) and qualified in the house in which the bill is to be considered.

## **Joint Rule 5. Closure of meetings to consider matters relating to security.**

Any standing committee of the house of representatives, any standing committee of the senate, the legislative coordinating council, any joint committee of both houses of the legislature, any special or select committee of the house of representatives or the senate, the house of representatives in session, the senate in session or a joint session of the house of representatives and the senate may meet in closed, executive session for the purpose of receiving information and considering matters relating to the security of state officers or employees, or both, or the security of buildings and property under the ownership or control of the state of Kansas.



# **Rules of the Kansas House of Representatives**



**2021-2022  
Biennium**

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# Rules of the House of Representatives

## 2021-2022

*Changes from 2019 - 2020 House Rules shown in italics*

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### ARTICLE 1. HOUSE SESSIONS; GENERAL OPERATION

#### **Rule 101. Time of Meeting.**

The hour of meeting on the first day of each regular session shall be at 2:00 p.m., and on other days, shall be the hour set at adjournment on the previous legislative day except that if no hour of meeting is set at adjournment on the previous legislative day, the hour of meeting shall be 11:00 a.m. No hour of meeting on any day of the session shall be set prior to 8:00 a.m., and no meeting on any day of the session may continue after 12 midnight, except when a question is under consideration, the meeting may continue until the question is disposed. No meeting may take place between the hours of 12 midnight and 8:00 a.m. on any day of the session.

#### **Rule 102. Speaker Taking Chair.**

The Speaker shall take the chair each day, at the hour to which the House has adjourned. The Speaker shall call the House to order and proceed to business in accordance with the Rules of the House.

#### **Rule 103. First Business.**

The first business each legislative day shall be the taking of the roll, the taking of roll shall be followed by prayer and the prayer shall be followed by the recitation of the pledge of allegiance to the flag of the United States of America led by a member designated by the Speaker.

#### **Rule 104. Order of Business.**

(a) The regular order of business each legislative day, except on days and at times set apart for the consideration of special orders and except as provided by the joint rules of the House and Senate, shall be as follows:

- (1) Introduction and reference of bills and concurrent resolutions.
- (2) Reports of select committees.
- (3) Receipt of messages from the Governor.
- (4) Communications from state officers.
- (5) Messages from the Senate.
- (6) Introduction and notice of original motions and house resolutions.
- (7) Consideration of motions and house resolutions offered on a previous day.
- (8) The unfinished business before the House at the time of adjournment on the previous day.
- (9) Consent calendar.
- (10) Final Action on bills and concurrent resolutions.
- (11) Bills under consideration to concur and nonconcur.
- (12) General Orders.
- (13) Reports of standing committees.

(b) The presentation of petitions shall be a special order of business on Friday of each week immediately preceding the regular order of business.

**Rule 105. Members Excused from Attendance.**

Members may be excused from attendance on any legislative day by the Speaker for the following reasons and such reasons shall be shown in the Journal: (1) Verified illness; (2) legislative business; and (3) excused absence by the Speaker.

**Rule 106. Introduction of Guests.**

Except when permission has been given by the Speaker before taking the chair, no guests in the gallery shall be introduced to the House.

**Rule 107. Session Proforma.**

(a) The House of Representatives may meet from time to time for the sole purpose of processing routine business of the House of Representatives. These sessions shall be known as Session Proforma.

(b) Time of Meeting. Session Proforma shall be announced at least one legislative day in advance with the hour for meeting Proforma set on the previous legislative day.

(c) Order of Business. The only orders of business that may be considered during Session Proforma are:

(1) Introduction and reference of bills and concurrent resolutions.

(2) Receipts of messages from the Governor.

(3) Communications from State Officers.

(4) Messages from the Senate.

(5) Reports of Standing Committees.

(6) Presentation of Petitions.

(d) Motions. No motion shall be in order other than the motion to adjourn.

(e) Objections. Any objection by any member shall require the Session Proforma to adjourn to the next day, Saturday and Sunday excluded, at 11:00 a.m.

(f) Quorum and Roll. There shall be no requirement for a quorum or taking of the roll. No demand for a roll call for a quorum shall be in order.

(g) Effect on Certain Rules. If a legislative day referred to in Rule 1309, 1503, 1505, 2303, 2705 or 3705 occurs on a legislative day which is also the day on which a Session Proforma is held, the term "legislative day" as used in such rule means the next legislative day subsequent to the legislative day on which the Session Proforma is held.

**Rule 108. Rulings on Germaneness, Division of Amendments, Points of Order and Procedural Motions.**

Any member, upon recognition by the presiding officer, may request a ruling upon the germaneness of any amendment to a bill or resolution, the division of an amendment to a bill or resolution, a point of order or a procedural motion. Any such ruling shall be made by the chairperson of the House Committee on Rules and Journal, or in the absence of the chairperson the vice chairperson of the Committee. At the time of making such ruling, the chairperson, or vice chairperson, shall state the reasons or basis for such ruling. Appeals from rulings of the chairperson, or vice chairperson, may be taken upon the motion of any member. Such appeals shall be in order at the time of the making of the ruling and shall take precedence over any question pending at the time the chairperson, or vice chairperson, makes such ruling.

Appeals from rulings on questions of germaneness of an amendment shall be debatable only by the member making the motion to amend which is the subject of

the ruling, the member carrying the measure sought to be amended, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Appeals from rulings on requests for division of an amendment shall be debatable only by the member requesting division of the motion to amend, the member making the motion to amend which is the subject of the ruling, the member carrying the measure sought to be amended, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Appeals from rulings on a point of order or procedural motion shall be debatable only by the member raising the point of order or making the procedural motion which is the subject of the ruling, the member appealing the ruling, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Each member may speak no more than two minutes. Debate shall be limited to the question of the ruling of the chairperson, or vice chairperson, and, in the case of division of an amendment, shall be limited as provided in Rule 2105.

At the conclusion of debate the presiding officer shall inquire: "Shall the chairperson's (or vice chairperson's) ruling be sustained?"

\*\*\*\*\*

### **ARTICLE 3. QUORUM**

#### **Rule 301. Quorum, What Constitutes.**

A majority of all members then elected (or appointed) and qualified shall constitute a quorum. In the absence of a quorum no business shall be transacted by the House, except as provided in Rule 107, 302 and 303 or to recess or adjourn.

#### **Rule 302. Absence of Quorum.**

In the absence of a quorum during any session of the House, the members present may do what is necessary to attain a quorum. In the absence of a quorum while in the committee of the whole, the committee shall rise and report. Reprimand, censure or expulsion may be imposed as provided by Article 49 when there is found to be no sufficient excuse for absence of a member.

#### **Rule 303. Roll Call to Determine Quorum.**

A roll call shall be taken to determine the existence of a quorum on demand of any member. The result of each roll call to ascertain a quorum shall be recorded in the Journal by statement of the total number present, naming only the absentees.

\*\*\*\*\*

### **ARTICLE 5. CONDUCT IN THE HOUSE CHAMBER**

#### **Rule 501. Admission to Floor.**

(a) During daily sessions, from the time of convening until adjournment to the following legislative day, only the following classes of persons shall be admitted to the floor of the House, the cloakrooms to the east of the house chamber and the hallway at the west of the house chamber: (1) Members of the Legislature; (2) officers and employees of the legislative branch who are properly identified; (3) persons having permits from the Speaker; (4) infants or children who are being breastfed by their mother who is a member of legislature.

(b) No person who is an officer or employee of the executive or judicial branch of Kansas government or an employee of the federal government shall be admitted to the area of the chamber on which legislators' desks are located during the time the House of Representatives is in session, except as provided by resolution, nor shall any such person be on the floor of the House chamber during a call of the House. No person, other than a member, shall lean on the railings on the floor of the House chamber next to the area of the chamber on which legislators' desks are located during any time the House is on final action.

(c) No person registered with the Secretary of State as a lobbyist shall be on the floor of the House chamber 15 minutes before the time of convening the daily session until 15 minutes after adjournment to the following legislative day.

(d) The sergeant at arms shall remove all persons from the floor, except persons authorized under the Rules of the House or a House resolution.

(e) The provisions of this rule shall not be construed to prevent the right of access (through the west hallway) by persons going directly to or returning from the offices of the Speaker and the Majority Leader.

#### **Rule 502. Food and Drink.**

Members may have food or drink, or both, on their desks in the House chamber only when the member is present at the member's desk.

#### **\*Rule 503. Galleries.**

*(a) The Speaker may designate that one or both galleries of the House and other areas of the House Chamber be utilized as part of the House Chamber for the purpose of seat assignments, including temporary assignments, to ensure the proper order and conduct of legislative business. In such case, all rules of the House related to the Chamber and floor of the House are applicable to the galleries and other areas of the House Chamber. In such case, no visitors shall be allowed in one or both of the galleries of the House in accordance with such designation. If no such designation is made by the Speaker, the provisions of subsection (b) are applicable.*

(b) Visitors shall be allowed in one or both galleries of the House in accordance with directions to the sergeant at arms from the Speaker. Except for security personnel authorized by the Speaker, the use of telephones and the making of telephone calls in the galleries of the House are prohibited.

#### **Rule 504. Placing Material on Member's Desk.**

No items or material shall be placed upon the desk of any member of the House unless any such item or material bears the signature and printed name of the member responsible for its distribution. This Rule 504 shall not apply to items or material provided by legislative staff.

#### **Rule 505. Photographic Record of Vote.**

No photographic or similar record shall be made of the vote of any member upon any measure upon which a division of the assembly has been called.

#### **Rule 506. Wireless Electronic Telecommunications Devices.**

Except for security personnel authorized by the Speaker, the use of wireless electronic telecommunications devices emitting an audible sound or tone to announce or initiate communications in the House chamber is prohibited during any time the House is in session.

**Rule 507. Computer Usage.**

Computers may be used on the floor of the House chamber only for legislative or personal business during any time the House is in session.

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**ARTICLE 7. INTRODUCTION OF BILLS AND RESOLUTIONS****\*Rule 701. Introduction of House Bills and Resolutions.**

Every House bill or resolution intended to be introduced shall be delivered to the chief clerk. The delivery shall be by a legislator who is a sponsor of the legislation or by a legislator who is the chairperson or vice chairperson of a legislative committee that has authorized the introduction, or by a legislative staff person or another member of the House authorized by such legislator. *Such bill or resolution shall contain the name of the legislator or the committee that is the sponsor of the legislation and the name of the person, state or local agency, organization or entity, if any, that requested the bill for introduction by the legislator or committee.* In lieu of introduction as provided by this rule, introduction may be as provided by law for prefiled bills and resolutions.

**Rule 702. Introduction of Senate Bills and Concurrent Resolutions.**

Senate bills and concurrent resolutions sent to the House shall be introduced upon reading of the message received by the chief clerk.

**Rule 703. Reading of Bills and Resolutions for Introduction.**

For the purpose of introduction, the chief clerk shall read bills and resolutions by title, except citations of statutes. The Speaker may require any House resolution to be read in full. The name of the sponsor shall be read if there is only one sponsor. If there are two sponsors, both names shall be read. If there are more than two sponsors, the name of the first sponsor shall be read, followed by the words "and others."

**Rule 704. Senate Bills and Concurrent Resolutions; Procedure Following Introduction.**

Following introduction, all Senate bills and Senate concurrent resolutions when in the House shall follow the same procedure as House bills and House concurrent resolutions.

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**ARTICLE 9. REFERENCE OF BILLS AND RESOLUTIONS****Rule 901. Reference, Generally.**

(a) On the day of introduction or the following legislative day, the Speaker shall refer each bill to:

- (1) A standing committee,
- (2) a select committee,
- (3) the committee of the whole House,
- (4) two or more standing committees separately, or
- (5) two or more standing committees jointly.

(b) On the day of introduction or the following legislative day, the Speaker shall refer each concurrent resolution:

(1) In any way that a bill may be referred under subsection (a), if the concurrent resolution is a proposition to amend the Constitution of Kansas, to call a constitutional convention to amend or revise the Constitution of Kansas, to ratify an amendment to the Constitution of the United States, to apply for a United States constitutional convention, or to amend the joint rules of the House and Senate;

(2) if the concurrent resolution is not one of those specified in subpart (1) of this subsection (b), it may be referred in any way that a bill may be referred under subsection (a), or the Speaker may authorize consideration thereof on the day of introduction under the order of business introduction and reference of bills and concurrent resolutions.

(c) On the day of introduction, the Speaker may refer any House resolution (1) in any way that a bill may be referred under subsection (a) or (2) make no reference, except the Speaker shall make any reference required by the Rules of the House.

(d) Bills or resolutions prefiled under K.S.A. 46-801 et seq., and amendments thereto, for the regular session of the legislature held in even-numbered years may be referred by the Speaker to the appropriate committee or the committee of the whole at any time subsequent to the prefiling of such bill or resolution with the chief clerk of the House.

**Rule 902. Appropriation Bills.**

Bills containing more than one item of appropriation shall be referred to the standing committee on appropriations, except that bills introduced by the committee on appropriations may be referred to the committee of the whole House.

**Rule 903. Separately Referred Bills and Resolutions.**

(a) When a bill or resolution has been referred separately to two or more standing committees, each committee shall consider the bill or resolution separately in the order specified by the Speaker.

(b) If the first committee to which a bill or resolution has been separately referred reports the bill or resolution adversely, the bill or resolution shall not be considered by the second committee, unless returned to the second committee by the committee of the whole House in accordance with Rule 1505.

(c) When a bill has been referred separately and the report of the first committee was not adverse, the report of the second committee shall be the report considered by the committee of the whole House.

**Rule 904. Jointly Referred Bills and Resolutions.**

When a bill or resolution is jointly referred, it shall be considered and acted upon at a joint meeting of the two committees. The chairperson of the first committee named in the joint referral shall be the chairperson of the joint committee when considering such bill or resolution.

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**ARTICLE 11. COMMITTEES; COMPOSITION**

**\*Rule 1101. Standing Committees; Names and Members.**

(a) The standing committees of the House shall be the following and have the number of members indicated for each:

- 1. Agriculture..... 17
- 2. Appropriations..... 23

3. Children and Seniors ..... 13  
 4. Calendar and Printing..... 6  
 5. Commerce, Labor and Economic Development ..... 23  
 6. Corrections and Juvenile Justice ..... 13  
 7. Education ..... 17  
 8. Elections..... 13  
 9. Energy, Utilities and Telecommunications..... 17  
 10. Federal and State Affairs ..... 23  
 11. Financial Institutions and *Rural Development* ..... 17  
 12. Health and Human Services ..... 17  
 13. Insurance and *Pensions*..... 17  
 14. Interstate Cooperation ..... 7  
 15. Judiciary ..... 17  
 16. Local Government..... 13  
 17. Rules and Journal ..... 7  
 18. *Redistricting* ..... 17  
 19. Taxation ..... 23  
 20. Transportation ..... 17  
 21. Veterans and Military ..... 13  
 22. *Water* ..... 17

(b) The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on economic development and tourism, the house standing committee on tourism and the house standing committee on tourism and parks for purposes of references in statutory or other documents. The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on commerce and labor, the house standing committee on economic development and the house standing committee on new economy for purposes of references in statutory or other documents. The house standing committee on agriculture and natural resources shall constitute the successor committee to the house standing committee on environment for purposes of references in statutory or other documents. The house standing committee on insurance and the house standing committee on financial institutions shall constitute the successor committees to the house standing committee on insurance and financial institutions for purposes of references in statutory or other documents. The house standing committee on commerce, labor and economic development shall constitute the successor committee to the house standing committee on commerce and economic development for purposes of references in statutory and other documents. The house standing committee on energy and environment and the house standing committee on utilities and telecommunications shall constitute the successor committees to the house standing committee on energy and utilities for purposes of references in statutory and other documents. The house standing committee on agriculture shall constitute the successor committee to the house standing committee on agriculture and natural resources for purposes of references in the following Kansas statutes: K.S.A. 2016 Supp. 2-3805 and 76-4,112. The house standing committee on agriculture shall constitute the successor committee to the house standing committee on energy and environment for purposes of references in the following Kansas statute: K.S.A. 2016 Supp. 66-1285 and shall constitute the successor committee to the house standing committee on utilities and communications for purposes of references in statutory and other documents. The house standing committee on financial institu-

tions and pensions shall constitute the successor committee to the house standing committee on financial institutions and the house standing committee on pensions and benefits for purposes of references in statutory or other documents. The house standing committee on government, technology and security shall constitute the successor committee to the house standing committee on veterans, military and homeland security for purposes of references in the following Kansas statutes: K.S.A. 74-2012 and K.S.A. 2016 Supp. 75-5156 and 75-5158. The house standing committee on veterans and military shall constitute the successor committee to the house standing committee on veterans, military and homeland security for purposes of references in statutory or other documents except for references in the following Kansas statutes: K.S.A. 74-2012 and K.S.A. 2016 Supp. 75-5156 and 75-5158. The house standing committee on water and environment shall constitute the successor committee to the house standing committee on energy and environment for purposes of references in the following Kansas statutory documents: 65-3407c. The house committee on general government budget shall constitute the successor committee to the house standing committee on government technology and security for purposes of references in the following statutes: K.S.A. 74-2012 and K.S.A. 2018 Supp. 75-5156 and 75-5158. The house standing committee on energy, utilities and telecommunications shall constitute the successor committee to the house standing committee on water and environment for purposes of references in statutory and other documents and in K.S.A. 65-3407c. *For purposes of references in statutes and other documents, the House standing Committee on Insurance and Pensions shall constitute the successor committee to the House standing Committee on Financial Institutions and Pensions for pension matters, the House standing Committee on Financial Institutions and Rural Development shall constitute the successor committee to the House standing Committee on Rural Revitalization for rural development matters and the House standing Committee on Water shall constitute the successor committee to the House standing Committee on Energy, Utilities and Telecommunications for water matters.*

**Rule 1102. Committee Appointments.**

(a) The Speaker shall appoint the members of the standing committees. The Speaker may remove or replace any such committee member at any time.

(b) The Speaker shall appoint the chairperson and vice chairperson of each standing committee. The Speaker may remove or replace any such chairperson or vice chairperson at any time.

**Rule 1103. Select Committees.**

The Speaker may appoint select committees and the chairpersons and vice chairpersons thereof. The Speaker may remove or replace any such chairpersons or vice chairpersons or members of such committees. Select committees shall meet on call of the chairperson or when directed by the Speaker.

**Rule 1104. Announce Appointments.**

All committee appointments shall be announced in open session.

**Rule 1105. Budget Committees.**

(a) There is hereby created the following budget committees of the committee on appropriations, which shall have the number of members indicated for each:

1. Agriculture and natural resources budget ..... 9

2. General government budget ..... 9  
 3. Higher education budget ..... 9  
 4. K-12 education budget ..... 13  
 5. Legislative budget ..... 8  
 6. Social services budget ..... 9  
 7. Transportation and public safety budget ..... 9

(b) Members of the budget committees are not required to be members of the committee on appropriations. The Speaker shall appoint the members, chairpersons and vice chairpersons of the budget committees. The Speaker may remove or replace any such chairperson, vice chairperson or member at any time.

(c) Budget committees shall be advisory to and make recommendations to the committee on appropriations regarding matters referred to the budget committee by the committee on appropriations. A budget committee is authorized to introduce bills or resolutions within the subject matter of the budget committee. Except as otherwise provided in this rule, budget committees shall be deemed to be standing committees under the rules of the House of Representatives. Budget committee meetings are subject to the Kansas open meetings act, K.S.A. 75-4317a et seq., and amendments thereto.

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**ARTICLE 13. COMMITTEES; PROCEDURE**

**Rule 1301. Committee Meetings; Time and Place.**

(a) When the Legislature is in session, standing committees shall meet at the times and place assigned by the Speaker on the call of the chairperson.

(b) Also, when the Legislature is in session, a standing committee shall meet upon written request of three members of the committee. Such a request shall be submitted to the Speaker and the chairperson at least one legislative day before the requested time of meeting. The time and place of a meeting under this subsection (b) shall be set by the chairperson with the approval of the Speaker.

**Rule 1302. Notice and Agenda for Committee Meetings.**

The chairperson shall provide notice of meetings and an agenda or agenda information to committee members, the chief clerk and the public. The chief clerk shall include in the calendar such information as is practical.

**Rule 1303. Duties of Committee Chairperson.**

The principal duties of the chairperson of a standing committee are:

- (a) To preside over meetings of the committee and to put all questions;
- (b) to maintain order and decide all questions of order subject to appeal to the committee;
- (c) to supervise and direct staff of the committee;
- (d) to keep, or have the committee secretary keep, subject to the approval of the committee at a subsequent meeting, minutes of meetings which shall include:
  - (1) The time and place of each meeting of the committee;
  - (2) the attendance of committee members; and
  - (3) the names and city and state of residence of persons appearing before the committee and whom each represents; and
  - (4) when a committee recommends amendments to a bill that strike all sections in the bill subsequent to the enacting clause that contain new or amendatory lan-

guage and inserts sections that contain new or amendatory language, a notation specifying: (A) The committee that recommended the amendment or amendments; (B) the date the amendment or amendments were recommended; and (C) the bill number of the source bill or bills, if any, that included the inserted sections added to the underlying bill pursuant to the amendment or amendments. Such information contained in this subsection shall also be included in the committee action index;

(e) to prepare and sign reports of the committee and submit them promptly to the chief clerk;

(f) to appoint subcommittees to perform duties on an informal basis; and

(g) to inform the Speaker of any committee activity which caused any member of the committee to be absent during any recorded vote.

**\*Rule 1304. Introduction of Committee Bills and Resolutions.**

(a) A committee may sponsor bills and resolutions for introduction while the Legislature is in session respecting any matters referred to it. *Requests for introduction of bills made before a committee shall be made by a legislator or a person, state or local agency, organization or entity. A legislator whose purpose is to request introduction of a bill on behalf of a person, state or local agency, organization or entity shall state such purpose when making the request. All requests for introduction, when approved by the committee, shall be recorded in the minutes.* Unless approved by the Speaker, a standing committee may sponsor bills and resolutions for introduction only within the general subject area assigned to the committee. No standing committee shall originate a bill which is substantially identical with any bill which has been referred to another standing committee, and which is under consideration by such committee.

(b) Requests for bill introductions shall be the first order of business for each committee meeting, except that for committees subject to the committee bill request deadline specified in joint rule 4(c) of the joint rules of the Senate and House of Representatives, until the last day for committee to request bills for introduction in such joint rules. The person making the request shall state for the minutes of the committee such person's name, a short description of the bill, the RS number and the name of the individual or organization on behalf of which the bill is being requested, if any. To be considered, a request must have previously been assigned an RS number by the Office of Revisor of Statutes. Requests for bill introductions shall be deemed accepted as offered unless there is objection by a committee member. Upon objection, a vote of the committee will be required to accept the request for introduction.

**Rule 1305. Quorum of a Committee.**

A quorum shall be present at a meeting for a committee to act officially. A quorum of a committee is a majority of the members of the committee. A quorum of a committee may transact business and a majority of the quorum, even though it is a minority of the committee, may adopt a committee report.

**Rule 1306. Voting in Committees.**

(a) All final actions by a committee shall be taken at a called meeting while the Legislature is in session. The final action taken shall be recorded in the committee minutes. An individual member's vote may be recorded at the member's request.

(b) The committee chairperson may vote but shall not be required to vote unless the committee is equally divided. If the chairperson's vote makes the division

equal, the question shall be lost.

(c) An action formally taken by a committee cannot be altered in the committee except by reconsideration and further formal action of the committee.

(d) A motion to take from the table may be adopted by the affirmative vote of a majority of the members present at any called meeting of the committee.

#### **Rule 1307. Procedure in General.**

Committee procedure shall be informal, but where any questions arise thereon, the rules or practices of the House are applicable except that the right of a member to speak to any question shall not be subject to the limitations prescribed by Rule 1704. All motions in a committee shall require a second.

#### **Rule 1308. Committee Action on Bills and Resolutions.**

(a) A committee shall not take action to report a bill out of committee on the same day that the committee holds a hearing on the bill unless the committee approves such action by a two-thirds vote.

(b) A committee may recommend amendments to measures referred to it which are germane to the subject of the measure. Committee recommendations shall be made by committee report to the House. Committee reports shall be signed by the chairperson or other committee members authorized by the committee to make the report, and shall be transmitted to the House not later than the second legislative day following the action of the committee. If a committee recommends amendments to a bill or resolution referred to it that strike all sections in the bill or resolution subsequent to the enacting clause that contain new or amendatory language or resolving clause and inserts sections that contain new or amendatory language, and the bill or resolution was sponsored by an individual member or members, the committee becomes the sponsor of the bill or resolution and the committee name will be printed on the bill as the sponsor.

(c) All committee reports on bills and resolutions shall be recorded in the Journal.

(d) If amendments are pending on a measure when referred to a committee, the amendments accompany the bill and the committee may recommend the adoption or rejection of the amendments already proposed and make further recommendations.

#### **Rule 1309. Motion to Withdraw a Bill or Resolution from a Committee.**

(a) If a committee does not report on any bill or resolution within 10 legislative days after its reference to the committee, the bill or resolution may be withdrawn from the committee by an affirmative vote of 70 members of the House. Such a motion shall be made in writing, giving the reasons for withdrawal from the committee. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions. Only one bill or resolution may be named in such a motion. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made. If the motion prevails, the bill or resolution shall be placed on the calendar under the order of business General Orders.

(b) Motions to withdraw a bill or resolution from a committee are not subject to amendment or debate.

(c) The provisions of subsections (a) and (b) of this rule shall not apply to resolu-

tions adopting or amending rules of the House. Resolutions relating to the adoption or the amendment of rules of the House may be withdrawn from the Committee on Rules and Journal at any time by the affirmative vote of 63 members of the House.

**Rule 1310. Wireless Electronic Telecommunications Devices.**

Except for security personnel authorized by the Speaker, the use of wireless electronic telecommunications devices emitting an audible sound or tone to announce or initiate communications in a committee room is prohibited during any time when a committee or subcommittee is in session in the room.

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**ARTICLE 15. CALENDAR LOCATION OF BILLS AND RESOLUTIONS**

**Rule 1501. General Orders; Description and Function.**

Bills, concurrent resolutions and House resolutions reported for further action by the committee to which they were referred and bills and concurrent resolutions referred directly to the committee of the whole shall constitute the General Orders of the calendar of the House. The titles of such bills and resolutions shall appear under the heading General Orders in the order directed by the Speaker and the Majority Leader. The reporting committee and its action on the bill or resolution shall be shown under each bill and resolution. Such bills and resolutions shall be considered by the committee of the whole in the order which they appear on General Orders. The Speaker and the Majority Leader may consult with the Committee on Calendar and Printing in preparing the order of bills and resolutions under this rule.

**Rule 1502. Posting of Sequence for Succeeding Day.**

When the Speaker and the Majority Leader have prepared the sequence of bills and resolutions to appear on General Orders for the succeeding legislative day, a copy of the list giving the number designation of each bill and resolution in the order they are to appear shall be posted near the entrance to the House chamber. No bill or resolution shall appear on General Orders or be considered in the committee of the whole without notice of the same having been announced in the House not later than 4:00 p.m. or prior to adjournment if at a later hour on the previous day.

**Rule 1503. Change in the Sequence on General Orders.**

(a) The order of a bill or resolution on General Orders may be changed by unanimous consent or by the affirmative vote of 70 members on a motion made as provided in this subsection. Such a motion shall be made in writing, giving the reasons for the proposed change. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions. Only one bill or resolution may be named in such a motion. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made. If such a motion fails, a motion to change the order on General Orders of such bill shall not be in order until the fifth legislative day following such failure.

(b) Motions to change the order of a bill or resolution on General Orders are not subject to amendment or debate.

(c) This Rule 1503 does not apply to the addition or removal of a bill or resolution

from General Orders.

**Rule 1504. Adversely Reported Bills and Resolutions; Calendar Location.**

Bills and resolutions that are adversely reported shall appear on the calendar for one day under the heading bills adversely reported.

**Rule 1505. Motion to Move Adversely Reported Bill or Concurrent Resolution to General Orders.**

(a) A motion to add an adversely reported bill or resolution to General Orders shall be made in writing. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions, and such motion may not be made after the legislative day when the bill or resolution appears on the calendar under Rule 1504. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made.

(b) When a bill or resolution has been separately referred and is adversely reported by the first committee of separate reference, a motion to add the adversely reported bill or resolution to General Orders is not in order, but a motion to move the adversely reported bill or resolution to the next committee of separate reference may be made in the same manner as the motion in subsection (a).

(c) Adoption of a motion under this Rule 1505 requires the affirmative vote of 70 members of the House.

(d) If a motion under subsection (a) prevails, the words “Adversely Reported” shall be printed in a line below the title of the bill when it is listed on General Orders.

**Rule 1506. Motion to Lay on Table Bill or Resolution while on Final Action Subject to Amendments and Debate.**

When a motion to lay on the table a bill or resolution is adopted while on final action subject to amendment and debate, on the next legislative day such bill or resolution shall be placed on the calendar under the order of business the unfinished business before the House at the time of adjournment on the previous day.

**Rule 1507. Disposition of Bills Subject to Certain Deadlines.**

Any bill which is subject to a deadline for consideration under subsection (e) or subsection (f) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives and which remains on General Orders at the close of business on such deadline day shall be considered as killed and shall be stricken from the calendar unless such bill is referred by the speaker to a committee before the close of business on such day. Any bill so referred shall be subject to all applicable deadlines under the Joint Rules of the Senate and House of Representatives.

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**ARTICLE 17. MEMBERS ADDRESSING THE HOUSE**

**Rule 1701. Requesting the Floor.**

Any member desiring to request the floor shall press the member’s “speak bill” button, and shall not proceed until recognized by the chair.

**Rule 1702. Order During Speaking.**

While a member is speaking to the House, no other member shall engage in private conversation or pass between the member speaking and the chair.

**Rule 1703. When Question is Put.**

While a question is being put or a roll call or division is being taken, members are not to speak or leave their seats.

**Rule 1704. Violation of Rules While Speaking.**

(a) Members shall address the House from the microphone located in the well of the House chamber.

(b) No member shall speak more than twice on the same day to the same question without leave of the House, unless the member is the mover or is carrying the measure, in which case such member may open and close the debate and may respond to direct questions from other members addressed to them during the course of consideration of the measure. For the purposes of this subsection, an amendment to any measure shall be considered as a separate and independent question.

(c) The privilege of a member carrying a measure to open and close the debate shall not be affected by any order for the previous question or that debate shall cease. Such member may occupy 20 minutes in closing the debate after the previous question is ordered and may divide that time with other members.

(d) While a member is carrying a measure, such member may yield to another member for explanation of the measure, or for personal explanation, or for a motion to adjourn without losing the privilege to carry the measure for the remainder of their time except that such member may not yield to any member who has already spoken twice on such question on the same day.

(e) If any member, in speaking, violates the rules of the House, the chair shall call such member to order.

**Rule 1705. Point of Personal Privilege.**

Except when permission has otherwise been given by the Speaker before taking the chair:

(a) A member shall be allowed to raise a point of personal privilege only for the following purposes: (1) Recognition of another member or former member of the House; or (2) recognition of an individual or group which has received statewide or national award or statewide or national recognition.

(b) A member shall be allowed to speak not more than five minutes in making a point of personal privilege.

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**ARTICLE 19. COMMITTEE OF THE WHOLE****Rule 1901. Motion to go into Committee of the Whole House.**

When the order of business General Orders is reached, a motion shall be in order for the House to go into Committee of the Whole for consideration of bills and resolutions as listed on General Orders.

**\*Rule 1902. Committee of the Whole; Normal Procedure.**

*Bills and resolutions shall be considered in the Committee of the Whole as follows: If the standing committee has recommended that the bill or resolution be amended,*

*the standing committee report shall first be considered, and if it is adopted, the bill as amended by the committee report shall be considered and amendments from the floor are in order. If the committee report is not adopted, or if the committee has recommended no amendments, the bill, without committee amendments, shall be considered and amendments from the floor are in order. After the original bill, together with standing committee amendments if any, has been considered, a motion that when the committee arises it report a bill favorably, or report a bill favorably as amended, shall not be in order until all other motions have been disposed of, and such a motion shall not be offered as a substitute motion. A motion to strike the enacting clause is in order at any stage until the final vote is announced. The motion to strike the enacting clause may be debated upon the merit of the proposition, and shall not be subject to amendment or substitution. A roll call vote shall be taken upon a motion to strike the enacting clause.*

**Rule 1903. Motion to Pass Over a Bill or Resolution While in Committee of the Whole.**

When in the Committee of the Whole, either (1) a motion to pass over a bill or resolution and that it retain its place on the Calendar or (2) a motion to pass over a bill or resolution and that it retain a place on General Orders shall be in order only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it. Either motion shall require the vote of a majority of the members present for adoption. Motions under this rule shall not be subject to debate.

**Rule 1904. Motions to Refer Bills or Resolutions to a Committee While in Committee of the Whole.**

When in the Committee of the Whole, a motion may be made to refer a bill or resolution to a standing committee only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it. Such motion shall require the vote of a majority of the members present for adoption.

**Rule 1905. Striking Bills and Resolutions from the Calendar While in Committee of the Whole.**

(a) While in Committee of the Whole, a motion to strike a bill or resolution from the calendar shall be in order only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it.

(b) A motion to strike a bill from the calendar under this Rule 1905 (1) shall require a vote of a majority of the members present for adoption, and (2) shall be subject to roll call in accordance with subsection (e) of Rule 2507, but shall not be subject to a call of the House under Rule 2508.

**Rule 1906. Requesting the Floor.**

Any member desiring to request the floor shall press such member's "speak bill" button to speak on a bill or offer an amendment and "speak amendment" button to speak on a pending amendment, and shall not proceed until recognized by the chairperson of the Committee of the Whole.

**Rule 1907. Rules Applicable.**

The same rules, except Rule 2508, shall be observed in the Committee of the

Whole as in the House, so far as the same are applicable, except that the previous question and the motion to lay on the table shall not apply.

**Rule 1908. Rise and Report.**

A motion for the Committee of the Whole to rise and report shall be in order at any stage, and shall be decided without debate. When the Committee of the Whole has a bill under consideration and rises without final action thereon, the bill shall retain a place on General Orders.

**Rule 1909. Effect of Recommendation of Committee of the Whole.**

Bills recommended for passage and resolutions recommended for adoption by the Committee of the Whole shall not be subject to amendment or debate after the adoption by the House of the Committee of the Whole report. When a bill or resolution is reported with the recommendation that the enacting or resolving clause be stricken, and the Committee of the Whole report is adopted by the House, the bill or resolution shall be considered as killed and shall be stricken from the calendar.

**Rule 1910. Report of Committee of the Whole.**

When the report of the Committee of the Whole recommends the passage of a bill or adoption of a resolution, and the report is adopted by the House, such bills and resolutions shall be considered as ordered to the order of business Final Action. If the bill or resolution has been amended by the Committee of the Whole it shall be reprinted.

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**ARTICLE 21. AMENDMENT OF BILLS AND RESOLUTIONS**

**Rule 2101. Germaneness.**

Amendments to bills and resolutions shall be germane to the subject of the bill or resolution. The principal test of whether an amendment is germane shall be its relationship to the subject of the bill or resolution, rather than to wording of the title thereof. The amendment, including any amendment from the floor to strike all of the substantive provisions of a bill or resolution and insert other provisions, must be relevant, appropriate, and have some relation to or involve the same subject as the bill or resolution to be amended. For the purposes of this rule the subject matter of any appropriation bill is the spending and appropriating of money and any amendment which changes the amount of money spent in any state agency or program is germane to any appropriation bill.

**Rule 2102. Form of Amendment Motions.**

Motions to amend bills and resolutions shall specify the page and line number, as shown on the printed bill or resolution, and shall be in writing on a form provided by the House or a form substantially similar. A motion shall be out of order unless the written motion is first delivered to the chief clerk. In the case of amendment by substitute bill, motion shall be made to substitute a written bill for the bill under consideration.

**Rule 2103. Reading Amendments; General Rule.**

Motions to amend bills and resolutions shall not require readings as for bills introduced, except as otherwise provided in Rule 2107, but shall be subject to Rule

2306.

**Rule 2104. Motions to Amend Motions.**

A motion to amend a motion to amend a bill or resolution shall not be in order.

**Rule 2105. Dividing Amendments.**

(a) When any motion to amend a bill or resolution contains distinct propositions, it shall be divided by the presiding officer at the request of any member. The division by the presiding officer shall be made in accordance with the following:

(1) A motion to strike out and insert words of less than a sentence shall be indivisible;

(2) the distinct propositions shall be only in the form submitted in the motion to amend;

(3) each proposition must be so distinct that, one being removed, the remainder may stand entirely on their own; and

(4) those portions of a motion to amend a bill as described in Rule 2110 shall be indivisible.

(b) Upon a request to divide a motion to amend a bill or resolution, the presiding officer shall inquire as to whether there is a request for a ruling on germaneness of the motion to amend. If such a request is made, the issue of germaneness shall be determined prior to dividing the motion.

If no request for a ruling on germaneness of the motion to amend is made, the presiding officer shall proceed to divide the motion to amend in accordance with this rule, and no subsequent request for a ruling on germaneness of any distinct proposition of the motion so divided shall be in order.

(c) The presiding officer, or any member, may request that the member requesting the division make the request in writing specifying the manner in which the motion to amend should be divided.

(d) The division of the motion to amend shall be in accordance with the rules of the House and with items (1) to (4), inclusive, of subsection (a). The ruling of the chairperson of the Committee on Rules and Journal, or in the chairperson's absence the vice chairperson of the Committee, on how to divide the motion to amend shall not be subject to appeal except that any member may appeal the ruling of the chairperson, or vice chairperson, on the grounds that the division is not in accordance with a rule of the House including the provisions of items (1), (2), (3) or (4) of subsection (a), or any combination thereof.

**Rule 2106. Substitute Motions.**

No substitute motion to amend a bill or resolution shall be in order.

**Rule 2107. Subject Change by Senate.**

(a) When the Senate adopts amendments to a House bill which materially changes its subject, upon return of such bill to the House, it shall be read as provided for the introduction of bills and be referred as provided in Rule 901.

(b) The Speaker may determine when a bill is subject to subsection (a). An affirmative vote of 70 members shall be required to sustain a challenge to the Speaker's determination hereunder.

**Rule 2108. Motions to Strike Out and Insert.**

The rejection of a motion to amend a bill or resolution by striking out and insert-

ing one proposition shall not prevent a motion to strike out and insert another proposition, nor prevent a subsequent motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

**Rule 2109. Identical Motions.**

Except upon the unanimous consent of the House, an identical motion to amend a bill or resolution shall not be made a second time on the same legislative day.

**Rule 2110. Floor Amendments to Bills Making Appropriations.**

(a) Unless by majority consent to correct an error in drafting, no floor amendment to increase the amount of expenditures that would be authorized in a provision of an appropriations bill shall be in order unless the amendment contains a provision reducing, by a like or greater amount, expenditures that would be authorized in another provision of such appropriations bill.

(b) The provisions of subsection (a) shall not apply if the ending balance in the state general fund for the ensuing fiscal year is equal to 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year based on the most recent budget profile of the Kansas legislative research department.

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## **ARTICLE 23. PROCEDURAL MOTIONS**

**Rule 2301. Order of Motions.**

When a question is under consideration, no motion shall be received except as specified under the Rules of the House, which motions shall have precedence in the following order:

- (a) For adjournment of the House.
- (b) For call of the House.
- (c) To lay on the table.
- (d) For the previous question.
- (e) To postpone to a certain time.
- (f) To commit to a standing committee.
- (g) To commit to a select committee.
- (h) To reject the adoption of reports of conference committees coupled with the request for appointment of a new conference committee.
- (i) To adopt the report of conference committees.
- (j) To amend.
- (k) To postpone indefinitely.

**Rule 2302. Motion to Adjourn.**

The motion to adjourn shall always be in order, except while a vote is being taken and until announced, or when a member has the floor, or when the previous question is pending; but a motion to recess is not equivalent to a motion to adjourn.

**Rule 2303. Motion to Reconsider.**

A motion to reconsider shall take precedence of all other questions except the motion to adjourn. No motion for reconsideration of any vote shall be in order, unless made on the same day or the legislative day following that on which the decision

to be reconsidered took place, nor unless a member voting with the prevailing side shall move such reconsideration. A motion for reconsideration, being put and lost, shall not be renewed, nor shall any subject or vote be a second time reconsidered without unanimous consent, but this provision shall not be construed as preventing the introduction of a bill on the same subject. The member moving for reconsideration shall be allowed not more than two minutes for stating the reasons in support of the motion. Such motion shall be subject to debate by any member, stating reasons in support or opposition to the motion. Each of such members shall be allowed not more than one minute for the purpose of such debate. Such motion shall require the affirmative vote of members equal in number to that required to take the action proposed to be reconsidered. A motion to reconsider any final action of the House shall be in order at any time prior to the time at which the message of the House thereon is read into the record of the Senate. A motion to reconsider any final action of the House may be made after the time at which the message of the House thereon is read into the report of the Senate but any action taken pursuant thereto will be contingent upon the return of the measure to the House by the Senate.

**Rule 2304. Previous Question.**

The “previous question” shall be: “Shall the main question be now put?” and until it is decided shall preclude all amendments or debate. When voting on the previous question, the House decides that the main question shall not now be put, the main question shall be considered as still remaining under debate. The main question shall be on the passage of the bill, resolution or other matter under consideration. When amendments are pending, a vote shall first be taken upon such amendments in their order without further debate or amendment. A majority vote of the members present shall order the previous question.

**Rule 2305. Motions Not Subject to Debate.**

All questions relating to priority of business shall be decided without debate. The motion to adjourn, to change the order of consideration of a bill, for a call of the House, and to lay on the table shall be decided without amendment or debate. The several motions to postpone or commit shall preclude all debate on the main question.

**Rule 2306. Motion to Refer Bills or Resolutions to Committee When Not in Committee of the Whole.**

When not in the Committee of the Whole, a motion to refer a bill or resolution from the Calendar to a standing committee shall be in order only when the body is meeting as the House of Representatives and shall be authorized only when offered by the Majority Leader, or in the absence of the Majority Leader, by the Assistant Majority Leader. Such motion shall require the affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

**Rule 2307. Motion to Strike Bills and Resolutions from Calendar When Not in Committee of the Whole.**

When not in the Committee of the Whole, a motion to strike a bill or resolution from the Calendar shall be in order only when the body is meeting as the House of Representatives and shall be authorized only when offered by the Majority Leader, or in the absence of the Majority Leader, by the Assistant Majority Leader. Such motion shall require the affirmative vote of a majority of the members then elected

(or appointed) and qualified to the House.

**Rule 2308. Stating Question.**

Every motion shall be first stated by the presiding officer or read by the chief clerk, before debate, and again immediately before putting the question.

**Rule 2309. Dividing Motion.**

If any motion, other than a motion under Rule 2105, contains distinct propositions, it shall be divided by the chairperson at the request of any member. Motions under Rule 2105 shall be divided in accordance with that rule.

**Rule 2310. When Motions to be in Writing.**

Every motion, except those specified in Rules 2301 and 2303, shall be in writing if the Speaker or any member desires it. All motions to amend a bill or resolution and all resolutions shall be in writing.

**Rule 2311. Suspension of Rules of the House.**

(a) No rule of the House shall be suspended except by unanimous consent or by an affirmative vote of a majority of the members then elected (or appointed) and qualified to the House, subject to the following exceptions:

(1) A motion to suspend the rules, and to declare an emergency and to advance a bill to the order of business Final Action, as contemplated in article 2, section 15 of the Constitution shall require an affirmative vote of 2/3 of the members present in the House.

(2) A motion to suspend the rules and to permit amendment and debate of a bill under the order of business Final Action shall require an affirmative vote of 2/3 of the members present in the House.

(b) When under the rules of the House a motion, question or action requires a vote of a majority greater than a majority of the members present, the majority specified for such motion, question or action shall be required to suspend the rules for the purpose of such motion, question or action. When under the rules of the House notice of a motion reduces the required majority for adoption of the motion, the required majority shall not be reduced if the notice is disposed of by suspension of the rules.

(c) Suspension of the rules or unanimous consent shall not reduce the majority required under subpart (1) of subsection (a) of this rule.

**Rule 2312. Mason's Manual; When Applicable.**

(a) In any case where rules of the House or the joint rules of the Senate and House do not apply, Mason's Manual of Legislative Procedure (2020 edition), with the exception of section 4, paragraph 2, shall govern.

(b) Rules of legislative procedure are derived from several sources and take precedence in the order listed below. For the Kansas House of Representatives, the principal sources are as follows: (a) Constitutional provisions; (b) statutory provisions; (c) adopted rules; (d) adopted parliamentary authority; (e) custom, usage and precedents.

## ARTICLE 25. VOTING

### **Rule 2501. Control and Use of Voting System.**

The electronic voting system shall be under the control of the Speaker or other presiding officer and shall be operated by the chief clerk. The electronic voting system shall be used to record the vote whenever a roll call vote is taken on any question and may be used for ascertaining the vote upon any measure upon which a division of the assembly has been called. In the event that the system is not operating properly, roll call votes may be taken by calling the roll.

### **Rule 2502. Procedure for Taking a Roll Call Vote.**

When a roll call vote is taken, the presiding officer shall state the question and instruct the members to proceed to vote. When sufficient time has been allowed the members to vote, the presiding officer shall inquire: "Has every member had an opportunity to vote?" After a short pause the presiding officer shall direct the chief clerk to close the roll. After the roll has been closed, when Rule 2505 applies, the presiding officer shall inquire: "Does any member desire to explain his or her vote?" and any member so desiring may give such explanation when recognized by the presiding officer. The presiding officer shall inquire: "Does any member desire to change his or her vote?" If any member does desire to change his or her vote, such member when recognized by the presiding officer, shall advise how they desire to change such vote and the presiding officer shall then instruct the chief clerk to make the appropriate change. A member who has not previously voted may vote at this time when permitted by the presiding officer. Such member shall advise how they wish to vote and the presiding officer shall then instruct the chief clerk to record such vote. After all members who desire to vote or to change their votes have had reasonable opportunity to do so, the presiding officer shall announce the vote and, when the vote has been announced, shall direct the chief clerk to record the vote.

### **Rule 2503. Display of Recurring Totals.**

Under Rule 2502, recurring totals shall be displayed only after the roll is closed. No recurring totals shall be displayed for a determination of the vote upon a division of the assembly.

### **Rule 2504. Voting by Members.**

(a) A member may vote only when at their desk or at any place within the chamber of the House when authorized by the presiding officer, who shall direct the chief clerk to so vote for such member.

(b) No member shall vote for another member. No person not a member shall cast a vote for a member, except as otherwise provided in the rules. In addition to such penalties as may be prescribed by law, any member who votes or attempts to vote for another member shall be subject to Article 49 of these rules. If a person not a member votes or attempts to vote for any member, such person shall be barred from the floor of the House for the remainder of the session, and, in addition to penalties prescribed by law, may be punished further as the House determines.

(c) The Speaker shall not be compelled to vote except in case of a tie.

### **\*Rule 2505. Explaining Vote.**

*Any member may, when a roll call vote is being taken on the passage or adoption*

*of any bill or resolution, explain their vote. Such member shall be allowed not more than one minute for such explanation. Such explanation, if furnished in writing and signed, with printed name and district number, by such member upon the day the vote is taken within one-half hour after the adjournment of the House on that day, shall be entered in the Journal, provided it does not contain more than 100 words. Such submission should also be submitted in electronic format to the chief clerk under the same time deadline.*

**Rule 2506. Copies of Voting Records.**

(a) Unless otherwise ordered, the chief clerk shall record each roll call vote and make copies available for the use of the news media. No record shall be made of the vote of any member voting upon any measure upon which a division of the assembly has been called.

(b) When a roll call vote is taken, it shall be recorded in the Journal by a statement of the names and total number voting in the affirmative, the names and total number voting in the negative, names and total number indicating presence but not voting and the names and total number absent or not voting, except that the provisions of this section shall not permit a member to fail to vote in violation of Rule 2508.

**Rule 2507. When Roll Call Vote to be Taken.**

(a) A roll call vote shall be taken for the passage of any bill.

(b) A roll call vote shall be taken for the adoption of any concurrent resolution to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate. A roll call vote is not required for adoption of concurrent resolutions pertaining to commendations or acknowledgments, unless required under subsection (e) of Rule 2507.

(c) A roll call vote shall be taken for the adoption of any House resolution to adopt, amend or revoke any rule of the House or to reject any executive reorganization order.

(d) A roll call vote shall be taken to concur in Senate amendments to any bill or concurrent resolution or to adopt any conference committee report other than a report agreeing to disagree.

(e) A roll call vote shall be taken on any question on demand of 15 members, unless a roll call vote is already pending.

**Rule 2508. Call of the House.**

(a) A call of the House shall be ordered on the demand of any 10 members at any stage of the voting previous to the announcing of the vote or, if the voting system is used, prior to recording the vote. This Rule 2508 shall apply to the taking of a vote upon the final passage of any bill or final adoption of any resolution whether under the order of business Final Action or under any order of business. Also, this Rule 2508 shall apply to the taking of a vote on a motion to strike the enacting clause of a bill and the resolving clause of a resolution and on a motion to strike all after the enacting clause or resolving clause, except when the House is in the Committee of the Whole. When the call of the House is invoked, the doors to the House chamber shall be secured and all members shall be required to be in their seats unless

excused by the Speaker. All members present during the call shall be required to vote before the call is raised. The call of the House shall not be raised (so long as 10 members continue the demand) until a reasonable effort, as determined by the Speaker, has been exerted to secure absentees.

(b) Any member, who is directly interested in a question, may be excused from voting, when there is a call of the House. The member, who is requesting to be excused from voting, shall state the reasons therefor, occupying not more than five minutes. The question on excusing such member from voting shall be taken without debate and a 2/3 majority of members present shall be necessary to excuse such member. If a member refuses to vote, when not excused, such refusal shall constitute grounds for reprimand, censure or expulsion under Article 49 of the Rules of the House.

**Rule 2509. Voice Vote; Division of the Assembly.**

Except when a roll call vote is required, a voice vote shall be taken on all questions. Any member may call for a division of the assembly to determine the vote by the voting system.

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**ARTICLE 27. FINAL ACTION**

**Rule 2701. Description and Function.**

Subject to Rule 2705, bills and resolutions reported favorably by the Committee of the Whole shall constitute the order of business Final Action of the House. The titles of such bills and resolutions shall appear under the heading Final Action in numerical order. The standing committee which reported it and the Committee of the Whole action on the bill or resolution shall be shown under each thereof.

**Rule 2702. Reading and Vote.**

Each bill and resolution under the order of business Final Action shall be read by title, except citations of statutes amended or repealed and a roll call vote shall then be taken upon final passage or adoption without amendment or debate.

**Rule 2703. Amendment and Debate, When.**

Upon motion as provided in subpart (2) of subsection (a) of Rule 2311 or when recommended in the Committee of the Whole report which has been adopted by the House, bills or resolutions may be debated and amended on Final Action prior to the vote taken upon final passage or adoption. Each bill or concurrent resolution considered under this Rule 2703 shall be considered in the manner provided in Rule 1902 so far as it is applicable. A motion to strike the enacting clause or resolving clause shall be in order.

**Rule 2704. Speaker to Preside.**

Subject to Rule 3303, the Speaker shall preside during the order of business Final Action.

**Rule 2705. Consent Calendar.**

Whenever a standing committee is of the opinion that a bill or concurrent resolution upon which it is reporting is of a noncontroversial nature, it shall so state in its committee report. Whenever a bill or concurrent resolution is so reported, it shall

be placed upon the Consent Calendar. Each bill or concurrent resolution placed on the Consent Calendar shall remain thereon for at least two full legislative days before being considered under the order of business Final Action. Under the order of business Consent Calendar and prior to the call for the vote, any member may object to the bill or concurrent resolution as being controversial and thereupon it shall be removed from the Consent Calendar and shall be placed on General Orders. If no objection is made prior to the call for the vote on the bill or concurrent resolution, it shall be ordered to Final Action for vote before other bills and concurrent resolutions on Final Action.

**Rule 2706. Majority for Bill Passage.**

As provided in section 13 of article 2 of the Constitution of Kansas, a majority of the members then elected (or appointed) and qualified, voting in the affirmative, shall be necessary for the passage of a bill.

**Rule 2707. Vote Required for Adoption of House Resolutions and Concurrent Resolutions.**

(a) A majority of the members then elected (or appointed) and qualified voting in the affirmative shall be necessary to adopt House resolutions and concurrent resolutions, except as otherwise specified in these rules.

(b) Adoption of concurrent resolutions to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate shall require a 2/3 majority of the members then elected (or appointed) and qualified, voting in the affirmative.

**Rule 2708. Motion to Adopt Report of Conference Committee.**

The member carrying the report of a conference committee shall move that such report be adopted prior to yielding the floor to any other member and a motion to adopt a report of a conference committee shall not be offered as a substitute motion.

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**ARTICLE 29. RESOLUTIONS**

**Rule 2901. Resolving Clause; Form.**

(a) Concurrent resolutions to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate shall have a resolving clause which reads, "Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected to the House of Representatives and two-thirds of the members elected to the Senate concurring therein."

(b) Concurrent resolutions for any purpose other than subsection (a) shall have a resolving clause which reads, "Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein."

(c) House resolutions shall have a resolving clause which reads, "Be it resolved

by the House of Representatives of the State of Kansas.”

**Rule 2902. House Resolutions; Introduction and Consideration.**

(a) House resolutions, except for those changing rules of the House or approving or rejecting executive reorganization orders, shall lay over at least one legislative day before action is taken thereon and do not require a roll call vote unless required under subsection (e) of Rule 2507.

(b) House resolutions shall be considered under the order of business consideration of motions and House resolutions offered on a previous day, except House resolutions to (1) adopt, amend or revoke any rule of the House or (2) when the resolution has been referred to a standing committee and reported favorably. Resolutions under subparts (1) and (2) shall take a place on General Orders when favorably reported or when referred to the Committee of the Whole by the Speaker.

**Rule 2903. Resolutions; Limitations.**

(a) Appropriations shall not be made by resolutions.

(b) Resolutions do not require approval of the Governor.

**Rule 2904. Applications for Introduction of certain Resolutions; Certificate of the House.**

Notwithstanding any other rule of the House of Representatives to the contrary, no House resolution or concurrent resolution which congratulates, commemorates, commends, honors or is in memory of any individual, entity or event shall be introduced by a member or committee of the House of Representatives unless application for approval of the introduction of such resolution is first made to the Speaker, and the resolution is approved for introduction by the Speaker. The application shall be determined on the basis of content alone. The Speaker shall consider all such applications and shall determine whether a House resolution or House concurrent resolution should be approved for introduction, or whether a certificate of the House should be approved for issuance or whether no action should be taken on the application. The speaker may consult with the Committee on Calendar and Printing in making determinations under this rule.

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**ARTICLE 33. MEMBER OFFICERS**

**Rule 3301. Elected Member Officers.**

The Speaker and the Speaker Pro Tem shall be members and shall be elected by the members of the House, except as otherwise provided in subsection (b) of Rule 3304.

**\*Rule 3302. Duties of the Speaker.**

In addition to other powers and duties of the Speaker provided by the Rules of the House and by law, the Speaker shall have the powers and duties as follows:

(a) To preserve order and decorum;

*(b) to take such actions and measures as necessary to secure the health and safety of the public, legislative staff and members to conduct legislative business by directing changes in House protocol and procedures from the provisions of House rules 101 through 107, 501 through 507, 1305, 1701, 1704, 1906, 2501 through 2509, 3501 through 3507 and 4305. A member may challenge any such action or*

*measure made by the Speaker. Such challenge shall be made by a motion offered on the previous day and shall be upheld by an affirmative vote of a majority of the members elected or appointed;*

(c) to decide all questions of order, subject to appeal to the House;

(d) in the absence of the Speaker Pro Tem, to appoint any member to perform the duties of the chair for not more than two consecutive legislative days; and

(e) to name a chairperson to preside when the House is in Committee of the Whole.

### **Rule 3303. Speaker Pro Tem.**

In the absence of the Speaker, the Speaker Pro Tem shall exercise the powers and duties of the Speaker.

### **Rule 3304. Filling Certain Vacancies.**

(a) When a vacancy occurs in the office of Speaker and the Legislature is adjourned to a date more than 60 days after the occurrence of the vacancy, the House of Representatives shall meet within 30 days and elect a member to fill the vacancy. The Speaker Pro Tem shall within 10 days of such occurrence issue a call for such meeting at a time not less than 10 days and not more than 20 days after the date of the call.

(b) When a vacancy occurs in the office of Speaker Pro Tem or Majority Leader of the House of Representatives, the Speaker shall appoint an acting Speaker Pro Tem or acting Majority Leader, to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original election or selection of such officer.

(c) When a vacancy occurs in the office of Minority Leader of the House of Representatives and the Legislature is adjourned to a date less than 30 days after the occurrence of the vacancy, the Assistant Minority Leader shall become the acting Minority Leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original selection of such officer. When a vacancy occurs in the office of the Minority Leader of the House and the Legislature is adjourned to a date 30 days or more after the occurrence of the vacancy, the Assistant Minority Leader shall within 10 days after such occurrence issue a call for a meeting of the members of the minority party at a time not less than 10 and not more than 20 days after the date of the call to be held in the state capitol for the purpose of filling the vacancy in the office of Minority Leader for the remainder of the term of office. From the time of the occurrence of such vacancy until the filling of the vacancy, the Assistant Minority Leader shall serve as acting Minority Leader and shall exercise the powers and duties of the Minority Leader.

When a vacancy occurs in the office of Assistant Minority Leader, the Minority Leader shall appoint an Assistant Minority Leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original selection of such officer.

Any person elected, appointed or designated to fill a vacancy under this rule shall exercise all of the duties and powers prescribed for the office so filled.

## **ARTICLE 35. NONMEMBER OFFICERS**

### **Rule 3501. Chief Clerk; Appointment.**

The chief clerk shall be appointed by the Speaker and shall serve under the Speaker's direction, control and supervision and at the pleasure of the Speaker. As used in the Rules of the House, "chief clerk" means the chief clerk appointed under this Rule 3501 or a person designated by the chief clerk to perform a function of the chief clerk.

### **Rule 3502. Duties of the Chief Clerk.**

The chief clerk shall supervise the keeping of and be responsible for a record of all proceedings of the House; number and present to the House all bills, resolutions, petitions and other papers which the House may require; deliver all messages from the House to the Senate; transmit bills and other documents to be printed and take a receipt therefor; transmit bills for engrossment and take receipt therefor; receive all bills, resolutions and other papers which are enrolled and give receipt therefor; and cause all enrolled bills, resolutions and other documents to be proofread and corrected prior to signing thereof by officers of the House.

### **Rule 3503. Other Clerks.**

The chief clerk shall appoint additional clerks and personnel to assist in performance of the duties of the chief clerk. Such additional clerks and personnel shall serve under the chief clerk's direction, control and supervision and at the pleasure of the chief clerk.

### **Rule 3504. Document Care.**

No bill, resolution, petition or other document shall be loaned or delivered to any person, except when delivered to an officer of the House, to the director of printing, the revisor of statutes or the Senate and only upon a written receipt therefor.

### **Rule 3505. Sergeant at Arms; Appointment.**

The sergeant at arms shall be appointed by the Speaker and shall serve under the Speaker's direction, control and supervision and at the pleasure of the Speaker.

### **Rule 3506. Duties of the Sergeant at Arms.**

The sergeant at arms shall preserve order within the chamber of the House and its lobby and galleries. The sergeant at arms may arrest and take into custody any person for disorderly conduct, subject at all times to the authority of the House or Speaker, or chairperson of the Committee of the Whole, and shall be responsible for the enforcement of Rules 501 through 506 and 2506(a). The sergeant at arms shall receive items or material for distribution among the members of the House. The sergeant at arms shall execute all orders of the House not otherwise provided for.

### **Rule 3507. Assistant Sergeants at Arms.**

The Speaker may appoint and remove assistant sergeants at arms to serve under the supervision of the sergeant at arms. All doorkeepers shall be assistant sergeants at arms.

## ARTICLE 37. AMENDMENT OF RULES OF THE HOUSE

### **Rule 3701. Adopting, Amending or Revoking Rules of the House.**

No rule of the House shall be adopted, amended or revoked except by a House resolution which has been adopted by an affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

### **Rule 3702. Resolutions for Rule Changes.**

(a) Notwithstanding any other rule of the House, the Speaker shall refer all resolutions which provide for the adoption, amendment or revocation of any House rule to the standing Committee on Rules and Journal before its consideration by the House.

(b) No resolution relating to the rules of the House which has been referred to the standing Committee on Rules and Journal shall be tabled or reported adversely by such committee except by the unanimous vote of all members of such committee.

### **Rule 3703. Printing.**

Resolutions to which this Article 37 apply shall be printed and are subject to subsection (c) of Rule 2507.

### **Rule 3704. Adoption of Resolutions.**

Resolutions to which this Article 37 apply shall be subject to Rule 2902.

### **Rule 3705. Special Sponsorship of Rule Change Resolutions.**

Notwithstanding any provision of the rules of the House to the contrary, no referral to the standing Committee on Rules and Journal shall be required for the adoption of a resolution adopting, amending or revoking any one or more rules of the House at the commencement of a legislative session, and adoption of any such resolution shall require only the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified, subject to the following conditions: (a) The resolution is sponsored by the Speaker or the standing Committee on Rules and Journal and (b) either (1) a copy thereof is mailed to each member by deposit in the United States mails not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence or (2) in lieu of mailing, copies of the resolution are made available to members on the first day of the legislative session and consideration under Rule 3704 occurs on the second legislative day.

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## ARTICLE 39. FORM AND PRINTING OF BILLS AND RESOLUTIONS

### **Rule 3901. Bills Amending Existing Statutes.**

Any bill intended to amend or repeal any section or sections of the Kansas Statutes Annotated shall recite in its title the section or sections to be amended or repealed, and if to amend or repeal any section of a session law not in the Kansas Statutes Annotated, the section and chapter of the session law affected.

### **Rule 3902. Bills, Copies.**

Each bill introduced shall consist of an original and copies. All bills shall be printed with as many copies as the Speaker specifies. Except for prefiled bills, printing

shall be ordered subsequent to introduction.

**\*Rule 3903. Showing Committee Amendments.**

(a) All bills and resolutions reported by a committee with recommendation for amendments and to be passed as amended shall be reprinted.

(b) *When a committee recommends amendments to a bill that strike all of the material in the bill subsequent to the enacting clause and insert new material, the reprinted bill shall contain a notation specifying: (1) The committee that recommended the amendment or amendments; (2) the date the amendment or amendments were recommended; and (3) the bill number of the source bill or bills, if any, that included the inserted new material to the underlying bill pursuant to the amendment or amendments. Additionally, the source bill or bills shall be reprinted with a notation specifying the bill to which the material from the source bill was inserted pursuant to an amendment as described in this subsection.*

**Rule 3904. Substitute Bills and Substitute Concurrent Resolutions.**

(a) When a substitute bill is recommended by a committee report, and when an amendment from the floor is adopted replacing the bill under consideration with a substitute bill, the substitute bill shall be printed in the manner provided for bills introduced, and the bill number designation shall be substantially as follows:

(1) In the case of bills substituted for House bills, "Substitute for House Bill No. \_\_\_\_\_," and the blank shall be filled with the number of the bill for which substitution is made or recommended.

(2) In the case of bills substituted for Senate bills, "House Substitute for Senate Bill No. \_\_\_\_\_," and the blank shall be filled with the number of the bill for which substitution is made or recommended.

(b) When a substitute concurrent resolution is recommended by a committee report, and when an amendment from the floor is adopted replacing the concurrent resolution under consideration with a substitute concurrent resolution, the substitute concurrent resolution shall be printed in the manner provided for concurrent resolutions introduced, and the concurrent resolution number designation shall be substantially as follows:

(1) In the case of concurrent resolutions substituted for House concurrent resolutions, "Substitute for House Concurrent Resolution No. \_\_\_\_\_," and the blank shall be filled with the number of the concurrent resolution for which substitution is made or recommended.

(2) In the case of concurrent resolutions substituted for Senate concurrent resolutions, "House Substitute for Senate Concurrent Resolution No. \_\_\_\_\_," and the blank shall be filled with the number of the concurrent resolution for which substitution is made or recommended.

**Rule 3905. Appropriation Bills.**

All bills making an appropriation shall be printed and distributed, or shall be made available to members electronically online and all members shall be notified by E-mail, at least 24 hours before such bills are considered by the House.

**\*Rule 3906. Committee of the Whole Amendments.**

If a bill or concurrent resolution is amended by the Committee of the Whole: (a) The bill shall be reprinted showing the amendments; and

*(b) when such amendments strike all of the material in the bill subsequent to the enacting clause and insert new material, such reprinted bill shall contain a notation specifying: (1) The member that offered the amendment or amendments; (2) the date the amendment or amendments were recommended; and (3) the bill number of the source bill or bills, if any, that included the inserted new material to the underlying bill pursuant to the amendment or amendments. Additionally, the source bill or bills shall be reprinted with a notation specifying the bill to which the material from the source bill was inserted pursuant to an amendment as described in this subsection.*

**Rule 3907. Concurrent Resolutions, When Printed.**

(a) Concurrent resolutions to amend the Constitution of Kansas, to call a constitutional convention to amend the Kansas constitution, to ratify amendments to the Constitution of the United States, to apply for a United States constitutional convention or to amend the joint rules of the House and Senate shall be printed as provided for bills under Rule 3902.

(b) Other concurrent resolutions shall be printed as provided for bills under Rule 3902, unless otherwise directed by the Speaker.

**Rule 3908. Embellished Printing of Certain Resolutions.**

Unless otherwise directed by the Speaker, not more than five copies of any enrolled House resolution and any enrolled House concurrent resolution may be printed on embellished parchment and shall be distributed as directed by the resolution. Additional copies of any resolution may be printed on embellished parchment and mailed at the expense of the member requesting such additional copies.

**Rule 3909. House Resolutions.**

Subject to Rule 3908, House resolutions shall not be printed, except resolutions to amend rules of the House, to approve or disapprove executive reorganization orders or if the resolution has been referred to a committee, in which cases the resolution shall be printed.

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**ARTICLE 41. JOURNAL AND CALENDAR**

**Rule 4101. Journal; Preparation.**

The daily Journal of the House of Representatives shall be prepared by the chief clerk in accordance with the Rules of the House.

**Rule 4102. Entering in Journal.**

When a bill, order, motion or resolution is entered in the Journal, the names of the members or legislative committee introducing or moving the same shall be entered.

**Rule 4103. Resolutions in Journal.**

All House resolutions and all House concurrent resolutions shall be printed in the Journal when introduced.

**Rule 4104. Messages from the Governor in Journal.**

All messages from the Governor and all executive reorganization orders shall be printed in the Journal.

**Rule 4105. Calendar; Preparation.**

The House Calendar shall be prepared for each legislative day by the chief clerk in accordance with the Rules of the House.

**Rule 4106. Status of Bills and Resolutions Shown in Calendar.**

The status of all House and Senate bills and concurrent resolutions and House resolutions shall be shown by number in the Calendar for each legislative day.

**Rule 4107. Copies of Journals and Calendars.**

Each member shall be furnished with a printed copy of the daily Journal and the daily Calendar.

**Rule 4108. Notations Related to Certain Committee of the Whole Amendments in Journal.**

When a bill is amended by the Committee of the Whole as described in Rule 3906(b), the notation provided in Rule 3906(b) shall be entered in the Journal.

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**ARTICLE 43. MISCELLANEOUS****Rule 4301. Employees; Employment.**

Such employees as are necessary to enable the officers, members and committees to properly perform their duties and transact the business of the House with efficiency and economy shall be recruited under the supervision of the director of legislative administrative services subject to approval of the Speaker. The director of legislative administrative services shall keep a roster of the employees of the House and an account of the hours of service performed. No employee shall lobby for or against any measure pending in the Legislature and any employee violating this rule shall be discharged immediately.

**Rule 4302. Special Order.**

Any matter may be made the special order for any particular time or day, but all requests and motions for special orders shall be referred to the Committee on Rules and Journal, which may designate particular times and days for such special orders and report to the House for its approval. Upon adoption of such report by 2/3 of the members present, the matters designated shall stand as special orders for the times stated, but no special order shall be made more than seven days in advance. This Rule 4302 shall not apply to executive reorganization orders or resolutions relating thereto.

**Rule 4303. Petitions; Presentation.**

Petitions and memorials addressed to the House shall be presented by a member.

**Rule 4304. Petitions; Endorse Name.**

Each member presenting a petition or memorial shall endorse it with their name or the name of the committee, and a brief statement of its subject.

**\*Rule 4305. Open Meetings.**

The open meeting law (K.S.A. 75-4317 et seq., and amendments thereto) shall apply to meetings of the House of Representatives and all of its standing com-

mittees, select committees, special committees and subcommittees of any of such committees. Caucuses of the House majority party may be closed as determined by the Majority Leader. Caucuses of the House minority party may be closed as determined by the Minority Leader. *The Majority Whip may send electronic communications to all members of the majority party regarding relevant information on matters under consideration on the House floor. The Minority Whip may send electronic communications to all members of the minority party regarding relevant information on matters under consideration on the House floor. Any such electronic communications sent by the Majority Whip or Minority Whip shall not have an interactive communication function for caucus members to communicate with each other at once, including, but not limited to, a chat room or text messaging. If a caucus member responds to any such communication, no other caucus member shall receive such communication other than the Majority Whip or Minority Whip.*

\*\*\*\*\*

## **ARTICLE 45. EXECUTIVE REORGANIZATION ORDERS**

### **Rule 4501. Referral of Executive Reorganization Orders.**

Whenever an executive reorganization order is received from the Governor, it shall be referred to an appropriate committee by the Speaker.

### **Rule 4502. Committee Report on Executive Reorganization Orders.**

If the committee to which an executive reorganization order is referred recommends that the executive reorganization order be disapproved, the committee, not later than 15 calendar days after referral of the executive reorganization order to the committee, shall introduce a resolution for disapproval of the executive reorganization order. Such resolution shall be accompanied by the report of the committee recommending that the resolution be adopted.

### **Rule 4503. Return in Event of Committee's Failure to Report.**

If a committee fails to report upon an executive reorganization order within 15 calendar days after the executive reorganization order is referred to the committee, the committee shall be deemed to have recommended approval of the executive reorganization order.

### **Rule 4504. Special Order of Business for ERO.**

When a resolution for disapproval of an executive reorganization order is introduced and accompanied by the committee's report recommending adoption of the resolution, action on the resolution shall be made the special order of business on a particular day and hour specified by the Speaker but not later than the last day the executive reorganization order may be disapproved under section 6 of article 1 of the Constitution of Kansas. A resolution for disapproval of an executive reorganization order shall be considered under the order of business Final Action and shall be subject to debate and final action by the House.

### **Rule 4505. Nonapplication to Bills.**

This Article 45 shall not apply to bills amending or otherwise affecting executive reorganization orders.

**Rule 4506. Nonaction When Moot.**

The House shall act on any resolution for disapproval of an executive reorganization order unless at the time set for such action the Senate has already rejected such executive reorganization order.

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**ARTICLE 47. IMPEACHMENT****Rule 4701. Impeachment; Powers.**

Nothing in the rules of the House or in any statute shall be deemed to impair or limit the powers of the House of Representatives with respect to impeachment.

**Rule 4702. Same; Select Committee.**

The Speaker may appoint a select committee comprised only of members of the House of Representatives, and appoint its chairperson, to inquire into any impeachment matter. Any such committee may be appointed at any time and shall meet at the call of its chairperson or at the direction of the House, with the numbers of such appointees being minority party members and majority party members in the same proportion as for the entire House membership.

**Rule 4703. Same; Reference.**

The Speaker may refer any impeachment inquiry or other impeachment matter to any standing committee or any select committee appointed under Rule 4702, and any committee to which such a referral has been made shall meet on the call of its chairperson.

**Rule 4704. Same; Report.**

Whenever a report is made by a committee to which an impeachment inquiry or other impeachment matter has been referred, the report thereon shall be made to the full House of Representatives, except that any such report may be submitted preliminarily to the Speaker.

**Rule 4705. Same; Call into Session.**

The Speaker or a majority of the members then elected (or appointed) and qualified of the House of Representatives may call the House of Representatives into session at any time to consider any impeachment matter.

**Rule 4706. Same; Procedure.**

The Speaker and any officer or committee acting under authority of this rule may follow any statutory procedure to the extent the same is not in conflict with the provisions of this rule, but nothing in this rule nor in any statute shall be deemed to constitute a waiver of any inherent powers of the House of Representatives.

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**ARTICLE 49. REPRIMAND, CENSURE OR EXPULSION OF MEMBERS****Rule 4901. Complaint.**

When any member of the House of Representatives desires to lodge a complaint against any other member of the House of Representatives, requesting that the member be reprimanded, censured or expelled for any misconduct, the complain-

ing member shall file a written statement of such complaint with the chief clerk, and such complaint shall bear the signature of the complaining member.

**Rule 4902. Select Committee; Consideration of Complaint.**

(a) Whenever any complaint has been filed under Rule 4901, the Speaker shall appoint a select committee of six members for consideration thereof except that if the complaint is filed against the Speaker, the Speaker Pro Tem shall appoint the select committee of six members. A select committee created under this subsection (a) shall be comprised equally of majority and minority party members.

(b) The select committee may dismiss the complaint after the inquiry or may set the matter for hearing. Reasonable notice and an opportunity to appear shall be afforded the member complained of at any hearing held hereunder. Any select committee meeting under authority of this section shall constitute an investigating committee under article 10 of chapter 46 of the Kansas Statutes Annotated and shall be authorized to meet and exercise compulsory process without any further authorization of any kind, subject, however, to limitations and conditions prescribed in article 10 of chapter 46 of Kansas Statutes Annotated.

(c) Upon completing its hearing the deliberations thereon, the select committee may dismiss the complaint or may make recommendations to the full House of Representatives for reprimand, censure or expulsion.

**Rule 4903. Action by House.**

Upon receiving any report under Rule 4902, the House of Representatives may, without further hearing or investigation, reprimand, censure or expel the member complained of. Reprimand, censure or expulsion of a member shall require a 2/3 majority vote of those members elected (or appointed) and qualified of the House of Representatives.

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JOURNAL  
OF THE  
HOUSE

2021 REGULAR SESSION  
JANUARY 11 THROUGH ADJOURNMENT MAY 26, 2021

SUSAN W. KANNARR, *Chief Clerk of the House*

## **EXPLANATION OF ABBREVIATIONS**

Substantial economy of space was achieved in the text of the Journals by shortening the numerous references to bill and resolution numbers. Placing these in boldface type facilitates locating the bills readily on each page. The abbreviations used are as follows:

HB 2001 .....	House Bill No. 2001
HCR 5001.....	House Concurrent Resolution No. 5001
HR 6001 .....	House Resolution No. 6001
HP 2001 .....	House Petition No. 2001
SB 1 .....	Senate Bill No. 1
SCR 1601.....	Senate Concurrent Resolution No. 1601

## **EXPLANATION OF PAGE NUMBERING**

The Senate and House Journals are printed in separate volumes. Paging in both Journals is consecutive and begin with page 1, continuing through the two-year biennium.

Under the section “History of Bills” HJ and SJ page numbers refer to the separate House Journal and Senate Journal volumes.

# Journal of the House

---

HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, December 7, 2020, 10:00 a.m.

In accordance with the provisions of K.S.A. 46-142, Catherine Gunsalus, Assistant Secretary of State, called the pre-organizational meeting of the 2021 Session of the Kansas Legislature to order.

The roll was called by Ms. Gunsalus from the list of members-elect as certified by the State Board of Canvassers:

## State of Kansas Secretary of State

I, SCOTT SCHWAB, Secretary of State, do hereby certify that the following persons were elected members of the House of Representatives of the State of Kansas for a two year term beginning on the second Monday of January, A.D. 2021.

### *District*

1<sup>st</sup> Michael Houser  
2<sup>nd</sup> Kenneth Collins  
3<sup>rd</sup> Charles (Chuck) Smith  
4<sup>th</sup> Trevor Jacobs  
5<sup>th</sup> Mark Samsel  
6<sup>th</sup> Samantha M. Poetter  
7<sup>th</sup> Richard J. Proehl  
8<sup>th</sup> Chris Croft  
9<sup>th</sup> Kent L. Thompson  
10<sup>th</sup> Christina Haswood  
11<sup>th</sup> Jim Kelly  
12<sup>th</sup> Doug Blex  
13<sup>th</sup> Joe Newland  
14<sup>th</sup> Charlotte Esau  
15<sup>th</sup> John Toplikar  
16<sup>th</sup> Linda Featherston  
17<sup>th</sup> Jo Ella Hoye  
18<sup>th</sup> Cindy Neighbor  
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21<sup>st</sup> Jerry Stogsdill  
22<sup>nd</sup> Lindsay Vaughn  
23<sup>rd</sup> Susan Ruiz  
24<sup>th</sup> Jarrod Ousley  
25<sup>th</sup> Rui Xu

### *District*

26<sup>th</sup> Adam T. Thomas  
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 56<sup>th</sup> Virgil Weigel  
 57<sup>th</sup> John Alcala  
 58<sup>th</sup> Vic Miller  
 59<sup>th</sup> Blaine Finch  
 60<sup>th</sup> Mark Schreiber  
 61<sup>st</sup> Francis Awerkamp  
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 87<sup>th</sup> Susan Oliver Estes

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 89<sup>th</sup> KC Ohaebosim  
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 107<sup>th</sup> Susan L. Concannon  
 108<sup>th</sup> Steven Johnson  
 109<sup>th</sup> Troy L. Waymaster  
 110<sup>th</sup> Ken Rahjes  
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 116<sup>th</sup> Kyle D. Hoffman  
 117<sup>th</sup> Leonard A. Mastroni  
 118<sup>th</sup> Jim Minnix  
 119<sup>th</sup> Bradley C. Ralph  
 120<sup>th</sup> Adam Smith  
 121<sup>st</sup> John Resman  
 122<sup>nd</sup> J. Russell "Russ" Jennings  
 123<sup>rd</sup> John P. Wheeler, Jr.  
 124<sup>th</sup> Marty Long  
 125<sup>th</sup> Shannon Francis

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 7th day of December, A.D. 2020.

SCOTT SCHWAB  
*Secretary of State*  
 CATHERINE E. GUNSALUS  
*Assistant Secretary of State*

Assistant Secretary of State, Catherine Gunsalus, appointed Member-Elect Barker to serve as temporary chairperson.

Mr. Barker announced that in accordance with K.S.A. 42-142 upon adjournment, the majority and minority parties will caucus and nominate their candidates for Speaker and Speaker pro tem for the next term and select their majority leader, minority leader and other caucus or party officers.

Mr. Barker declared: “There being no further business, the meeting is adjourned. The House will convene on Monday, January 11, 2021 at 2:00 p.m..”

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

---

Subsequent to adjournment, the members-elect of the majority party met and caucused as required by KSA 46-142.

The caucus nominated Ron Ryckman as Speaker of the House of Representatives and Blaine Finch as Speaker Pro Tem of the House of Representatives.

The following caucus or party officers were selected:

Majority Leader, Dan Hawkins  
Assistant Majority Leader, Les Mason  
Majority Whip, Blake Carpenter  
Caucus Chair, Ken Rahjes

Also, the members-elect of the minority party met and caucused as required by KSA 46-142, and selected the following caucus or party officers:

Minority Leader, Tom Sawyer  
Assistant Minority Leader, Jason Probst  
Minority Whip, Stephanie Clayton  
Agenda Chairperson, Brandon Woodard  
Caucus Chairperson, Barbara Ballard  
Policy Chairperson, Rui Xu

# Journal of the House

FIRST DAY

---

HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, January 11, 2021, 2:00 p.m.

This being the day fixed by the Constitution of the State of Kansas for the assembling of the 2021 session of the legislature, the House of Representatives was called to order at 2:00 p.m. by Catherine Gunsalus, Assistant Secretary of State.

Assistant Secretary of State Catherine Gunsalus announced the appointment of Susan Kannarr as temporary Chief Clerk of the House.

**State of Kansas**  
**Office of**  
**Secretary of State**

I, CATHERINE GUNSALUS, Assistant Secretary of State, do hereby certify that the following persons were elected members of the House of Representatives of the State of Kansas for a two-year term beginning on the second Monday of January, A.D. 2021.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the city of Topeka, this 30th day of November, A.D. 2020.

CATHERINE GUNSALUS  
*Assistant Secretary of State*

Members of the House of Representatives were then called in groups, came forward, took and subscribed, or affirmed, to their respective oaths of office, administered to them by Chief Justice Marla Luckert, Kansas Supreme Court as follows:

State of Kansas, County of Shawnee, ss:

We and each of us, do solemnly swear or affirm, that we will support the Constitution of the United States and the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Representative of the State of Kansas, so help me God.

*District*

1<sup>st</sup> Michael Houser  
2<sup>nd</sup> Kenneth Collins  
3<sup>rd</sup> Charles (Chuck) Smith  
4<sup>th</sup> Trevor Jacobs  
5<sup>th</sup> Mark Samsel  
6<sup>th</sup> Samantha M. Poetter

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11<sup>th</sup> Jim Kelly

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 104<sup>th</sup> Paul M. Waggoner

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 110<sup>th</sup> Ken Rahjes  
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 113<sup>th</sup> Brett Fairchild  
 114<sup>th</sup> Michael Murphy

*District*

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 120<sup>th</sup> Adam Smith  
 121<sup>st</sup> John Resman  
 122<sup>nd</sup> J. Russell "Russ" Jennings  
 123<sup>rd</sup> John P. Wheeler, Jr.  
 124<sup>th</sup> Marty Long  
 125<sup>th</sup> Shannon Francis

Assistant Secretary of State, Catherine Gunsalus, called the House to order.

Prayer by the Rev. Eunice Brubaker:

Almighty Creator God,  
 Thank You for this day we have to come together  
 and to begin a work that You have started within and through our leaders.  
 Thank You for each one who have  
 dedicated themselves, their time, energy and effort  
 to serve the people of Kansas.  
 As we begin this new session, albeit in unusual circumstances and times,  
 I challenge each one to use the prayer of St. Francis of Assisi as a daily goal.  
 Lord, make me an instrument of your peace;  
 where there is hatred, let me sow love;  
 where there is injury, pardon;  
 where there is doubt, faith;  
 where there is despair, hope;  
 where there is darkness, light;  
 and where there is sadness, joy.  
 O Divine Master,  
 grant that I may not so much seek to be consoled as to console;  
 to be understood, as to understand;  
 to be loved, as to love;  
 for it is in giving that we receive,  
 it is in pardoning that we are pardoned,  
 and it is in dying that we are born to Eternal Life.  
 I pray this in Your Son's Name,  
 Amen.

The Pledge of Allegiance was led by Rep. Croft.

Nominations being in order for speaker, Rep. Rahjes nominated Rep. Ron Ryckman for Speaker of the House. There being no further nominations, Rep. Sawyer moved that the nominations be closed, and that the temporary clerk be instructed to cast a unanimous ballot for Rep. Ryckman as Speaker of the House of Representatives. The motion prevailed.

Assistant Secretary of State, Catherine Gunsalus requested Rep. Ryckman to approach the well for the oath of office.

Speaker-elect Ryckman subscribed to the following oath of office, which was administered by Chief Justice Marla Luckert.

State of Kansas, County of Shawnee, ss:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of Kansas, and faithfully discharge the duties of the office of Speaker of the House of Representatives, so help me God. Subscribed and sworn to before me this 11<sup>th</sup> day of January, 2021.

MARLA LUCKERT

*Chief Justice of the Supreme Court*

Speaker Ryckman addressed the following remarks to the members of the House:

Thank you, Chief Justice. On behalf of all of us, let me express our gratitude and appreciation to you for being with us today.

I also want to thank my family who is watching from home today ..... your families who - like mine - make many sacrifices so that we may be here to serve ..... and to you, my colleagues here in the people's House.

Over this past year .... our families, our state and our nation have faced tremendous worry ... pain... frustration ... and loss. What we CANNOT lose is our sense of duty ... to each other .... and to the people we took an oath to serve.

We have an added duty this session ... a duty to keep each other safe so that every single one of us in this chamber – and every one working on the other side of these doors - goes home safe to their families.

Each of us comes to this position with our own set of hopes and goals. But, how do we realize those goals? How do we achieve real results .... not the kind that sound good in a headline or look nice on a campaign postcard ... but the kind of results that bring people together and move our state forward through these uncertain times.

As Kansans, we know that divisiveness ... blasting others from the shadows of social media ... and talking past each other will not achieve the results we have a duty to deliver.

In order to do that, I urge you to ....

- Challenge what you're told.
- Ask the difficult questions.
- Do your homework.
- Listen to what the other side is saying.

- Come to work with an open mind and fresh ideas, rather than list non-negotiables.
- Realize that the best solution may not happen overnight.
- And, appreciate that while none of us will get everything we want, we will all bring something to the final product for the good of our state and the people we serve.

We have ambitious goals ahead of us. To protect life ... to ease the burden on hard-working Kansans ... and to spur an economic recovery in the wake of this pandemic. We can and will accomplish all three of these.

Doing so will take hard work ... patience ... and a commitment to do right by the people who are counting on us. Now, more than ever, the people of Kansas are counting on us - the People's House - to deliver for them.

In closing, I call upon each of you to serve with a servant's heart. To focus less on temporary hardships and more on permanent good. To focus less on you alone and more on all of us together ... and on doing the work of the people. May God Bless you in your service, and may God bless the Great State of Kansas.

Speaker Ryckman was presented the gavel by Assistant Secretary of State Catherine Gunsalus and assumed the chair.

Speaker Ryckman announced the appointment of Susan Kannarr as Chief Clerk; Foster Chisholm as Sergeant-at-Arms and the Rev. Eunice Brubaker as House Chaplain of the House of Representatives.

Nominations being in order for Speaker pro tem, Rep. Rahjes nominated Rep. Blaine Finch for Speaker pro tem of the House. There being no further nominations, Rep. Sawyer moved the nominations be closed, and that the Chief Clerk be instructed to cast a unanimous ballot for Rep. Finch as Speaker pro tem of the House of Representatives. The motion prevailed.

Speaker Ryckman requested Rep. Finch to approach the well for the oath of office. Speaker pro tem-elect Finch subscribed to the following oath of office, which was administered by Chief Justice Luckert.

State of Kansas, County of Shawnee, ss:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of Kansas, and faithfully discharge the duties of the office of Speaker pro tem of the House of Representatives, so help me God. Subscribed and sworn to before me this 11<sup>th</sup> day of January, 2021.

MARLA LUCKERT  
*Chief Justice of the Supreme Court*

Speaker pro tem Finch addressed the following remarks to the members of the House:

Good afternoon to each of you here today and to all of those listening along online. Thank you, Chief Justice Luckert, for being here to swear us in. To those of you

returning representatives welcome back. To those of you who are newly elected, congratulations and welcome to your first day in the Kansas House. I regret to tell you that all of the work you did campaigning was the easy part. Now the hard part begins, governing. I also want to thank all of you for the honor of serving you as your speaker pro tem. It is not an obligation I take lightly.

As I thought about what I wanted to share with you today, I was drawn to the founding document of our nation, the Declaration of Independence. A beautiful document, filled with political poetry, and promises our country is still trying to fulfill. But the line that drew my attention was the last one: "And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor."

These signers knew their odds of success were long. They were a ragtag bunch of colonists facing the world's greatest superpower. But they shared a common goal. The creation of a new nation conceived in liberty and dedicated to equality. They knew that a shared goal wouldn't be enough. They needed a commitment to one another to see it through. They needed a pledge. A pledge is important. It signifies a commitment. It signifies that one is willing to pay a price to achieve a goal. And pay a price they did.

There were 56 signers. Almost all involved in the subsequent war in some way: 17 in the military; 12 in combat; 5 were imprisoned, and 6 made the ultimate sacrifice and gave their lives; and 17 were all but wiped out financially; including one Thomas Nelson Jr. who asked the continental army to turn their cannons on his own house rather than see British officers use it against the colonies. What commitment, what willingness to follow through with the commitment they had made.

So, what about us? We just stood on this floor raised our hands and made a pledge, to support the Constitution of the United States, the Constitution of the state of Kansas, and to faithfully discharge the duties of the office of Representative of the State of Kansas.

Our pledge will require certain things of us as well. Among them are these three: responsibility, sacrifice and service.

Our pledge will require responsibility.

No matter where we are from, what party we belong to, or what was on our palm cards, I believe all of us are here today because we want to help. To improve lives, and to make Kansas the best place it can be. We may differ on what making Kansas the best place it can be may mean, but I believe we are all here because we want to do the right thing. And right now our state needs people like that more than ever. Our challenges are great. The needs of our fellow Kansans are great, and now is the hour that we must be great for them. Winston Churchill said, "The price of greatness is responsibility." Let us pledge then, to practice responsibility in all things, great and small, to protect our health and the health of others, for it is only by working together that the greatness of our work can exceed the greatness of the challenges that lay before us.

Our pledge will require sacrifice.

It is worth noting that We did not pledge to enjoy all the benefits and privileges of the office of representative. We pledged to faithfully discharge our duties, and duty if it means anything at all, means sacrifice. Kansans know that too: Time and again our men and women have sacrificed. Kansas gave 8,500 lives in the bloody civil war that gave birth to our state and saved our Union. Tens of thousands more have served on battlefields around the globe, and some came back with new challenges, while some

never came home at all. Kansas men and women on the home front have sacrificed too. They have endured rationing, shortages, and hardships. They planted victory gardens and bought war bonds to help defend freedom, and many sent their sons and daughters to serve not knowing if they would return. And after every natural disaster or act of terrorism you can find Kansans stepping up to serve and render aid, to give of themselves to help others. In the early days of this pandemic, when face masks were a rare commodity, it was a retired farmer from Troy, Kansas, who sent his one spare to New York with instructions to give it to a nurse or doctor fighting to save lives threatened by the scourge of Covid-19. Let us heed the example of those prior generations of Kansans, to make the necessary sacrifices and to do what must be done to keep our word and set a similar example for future generations to come.

Our pledge will require service.

It is fashionable these days to talk about freedom, as though it exists in a vacuum. As though freedom has no corresponding obligation. But freedom, though an inalienable right, is meant to be used in service. Freedom comes with an awesome moral imperative. Nearly 2,000 years ago the Apostle Paul wrote to the church in Galatia, "You, my brothers and sisters, were called to be free. But do not use your freedom to indulge the flesh; rather, serve one another humbly in love. For the entire law is fulfilled in keeping this one command: 'Love your neighbor as yourself.'" Freedom without service is selfish. Freedom used in service is sublime.

May we spend this session using our God given freedom to serve one another. Asking not what can be done for us, but what we can do for others.

In closing, I share what Teddy Roosevelt said in his second inaugural, "Much has been given us, and much will rightfully be expected from us. We have duties to others and duties to ourselves; and we can shirk neither."

As you go about your work this session, remember this, and those signers and their pledge. They pledged their lives, their fortunes and their sacred honor. And though some gave their lives, and more gave their fortunes, they all would give their sacred honor. Through eight long years of war and hardship, when the public lost faith in the war, and military defeats made victory seem hopeless, all 56 stayed the course, not one broke their pledge, not one gave up.

And now it is our turn to be tested. To decide whether we will rise to this occasion. I have faith that we can, we will, and indeed for the sake of our state, we must.

Let us resolve then to go forward together, mutually pledging to each other, to face every peril, meet every challenge, make every sacrifice, and faithfully discharge every duty, so that it may ever be said that the representatives of this House paid the price, never gave up and always gave the full measure of their sacred honor in service to the people of Kansas.

May God bless each of you this session, may God bless those that you represent, and may God continue to bless the great state of Kansas.

Speaker Ryckman asked for announcements from party caucuses:

Rep. Rahjes stated the majority (Republican) party had met and elected the following:

- Majority leader, Representative Daniel Hawkins

- Assistant Majority Leader, Representative Les Mason
- Majority Whip, Representative Blake Carpenter
- Caucus Chairperson, Representative Ken Rahjes

Rep. Hawkins addressed the following remarks to the members of the House:

This is truly a unique time we find ourselves in. I am going to keep my remarks brief in order to limit the amount of time we have to stay in this room.

First I want to thank the Republican caucus for the honor of once again representing you as your Majority Leader. It is one of the great honors of my life.

I also must thank my wife, Diane, and my daughters Hannah and Hayley for their support. I could not do this without you.

Most of all I want to thank God and ask for His blessing over this coming session.

Every year this body addresses big issues. The people in this room now are facing some of the biggest in the history of our state. We will often disagree but we owe it to the people of Kansas to work together to navigate these rough waters.

I pray that in a few years COVID and the unrest we've experienced in recent months will seem like ancient history. The work done by those of you in this Chamber will play a large part in making that the case here in Kansas.

This will likely be the toughest legislative session any of us ever experience. Let's work together to ensure it will also be the most productive. Thank you.

Rep. Ballard stated the minority (Democrat) party had caucused and elected the following officers:

- Minority Leader, Representative Tom Sawyer
- Assistant Minority Leader, Representative Jason Probst
- Minority Whip, Representative Stephanie Clayton
- Agenda Chairperson, Representative Brandon Woodard
- Caucus Chairperson, Representative Barbara Ballard
- Policy Chairperson, Representative Rui Xu

Rep. Sawyer addressed the following remarks to the members of the House:

Welcome everyone to the Kansas House of Representatives. For the new members, this is a great place to work. It's not only a beautiful building, but it's also full of history. For those of you who have been here before, it's like the first day of school—getting a chance to get reacquainted with everyone. I've been through several sessions; each one is unique and different. There is no doubt this one is going to be different.

We've had to make a lot of changes to deal with the pandemic. Kansas families and businesses continue to suffer during this pandemic, but while we are here together, we will continue to do work to ensure the betterment of the lives of all Kansans affected by the pandemic. I want to thank the Speaker for making it safer for us to be able to be here.

I want to congratulate the Speaker and the Speaker pro tem on their re-elections. I also want to congratulate the Majority leader and Republican leadership, as well as Jason Probst and the rest of the Democratic Leadership on their election.

There is one thing that unites us. We all come from different backgrounds, different districts, with different core beliefs, but we are all united under our desire to make Kansas a better place for all of us—especially the working families of Kansas.

We are ready to work with you to provide a better life for Kansans, but we are also the loyal opposition and will provide the necessary checks and balances to ensure that the majority party stays on the right track. We will always put everyday Kansans first.

However, what most new people may not realize, is that most bills that pass through here, pass by large bi-partisan majority.

My hope is that when we debate, we debate civilly. When we disagree, we disagree agreeably, and that we work hard to find the common ground to make Kansas a better place.

I look forward to working with all of you and the Governor to better improve the lives of Kansans.

The roll was called with 123 members present.

Representative-elect Blex was excused on excused absence by the Speaker.

Representative-elect Ralph was excused on verified illness.

## COMMUNICATIONS FROM STATE OFFICERS

Dear Mr. Speaker:

This letter is to advise you that the Office of Chief Clerk has received the following communications during the interim since adjournment of the 2020 Regular Session of the Legislature:

From the Board of Indigents' Defense Services, the Annual Report for Fiscal Year 2019.

From James R. Hubbard, Attorney, in accordance with K.S.A. 19-5005(e) the Johnson County Educational Research Triangle Authority Annual Report.

From Chairperson Marc Bennett, in accordance with KSA 2019 Supp. 21-6902, the Report of the Kansas Criminal Justice Reform Commission to the 2021 Kansas Legislature.

From Rachel Beech, Education Program Consultant, Special Education and Title Services, Information Relating to School Safety and Security.

From Scott W. Miller, Director of Investments, in compliance with K.S.A. 75-4422(h), the Annual Report of the Pooled Money Investment Board for Fiscal Year 2020.

From Jake LaTurner, State Treasurer, the 2020 Annual Report for the Kansas State Treasurer's Office.

From the Office of Governor Laura Kelly:

Executive Directive No. 20-517, Authorizing Expenditure of Federal Funds.

Executive Directive No. 20-518, Authorizing Personnel Transactions.

Executive Directive No. 20-519, Authorizing Expenditure of Federal Funds.

Executive Directive No. 20-520, Authorizing Personnel Transactions and Authorizing Expenditure of Federal Funds.

Executive Directive No. 20-521, Authorizing Expenditure of Federal Funds.  
Executive Directive No. 20-522, Authorizing Expenditure of Federal Funds.  
Executive Directive No. 20-523, Authorizing Expenditure of Federal Funds.  
Executive Directive No. 20-524, Authorizing Expenditure of Federal Funds.  
Executive Directive No. 20-525, Authorizing Personnel Transactions.  
Executive Directive No. 20-526, Authorizing Expenditure of Federal Funds.  
Executive Directive No. 20-527, Authorizing Expenditure of Federal Funds.  
Executive Directive No. 20-528, Authorizing Personnel Transactions and Authorizing Expenditure of Federal Funds.

Executive Order No. 20-35, Temporarily expanding telemedicine and addressing certain licensing requirements to facilitate economic recovery and prevent future outbreaks of COVID-19.

Executive Order No. 20-36, Drivers' license and vehicle registration and regulation during state of disaster emergency.

Executive Order No. 20-37, Allowing certain deferred tax deadlines and payments during the state of disaster emergency.

Executive Order No. 20-38, Temporary relief from certain unemployment insurance requirements during state of disaster emergency.

Executive Order No. 20-39, Extending professional and occupational licenses during state of disaster emergency.

Executive Order No. 20-40, Temporarily allowing notaries and witnesses to act via audio-video communication technology during state of disaster emergency.

Executive Order No. 20-41, Licensure, Certification, and Registration for person and Licensure of "Adult Care Homes" during state of disaster emergency.

Executive Order No. 20-42, Temporarily suspending certain rules relating to sale of alcoholic beverages during state of disaster emergency.

Executive Order No. 20-43, Temporary relief from certain restrictions concerning shared work programs during state of disaster emergency.

Executive Order No. 20-44, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-45, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-46, Temporary relief from certain age restrictions concerning online driver's license renewal.

Executive Order No. 20-47, Establishing the Court of Appeals Nominating Commission.

Executive Order No. 20-48, Establishing the Governor's Commission on Racial Equity and Justice.

Executive Order No. 20-49, Extending certain Executive Orders relating to the COVID-19 pandemic.

Executive Order No. 20-50, Temporary relief from certain unemployment insurance requirements during state of disaster emergency.

Executive Order No. 20-51, Extending the Kansas Complete Count Committee.

Executive Order No. 20-52, Requiring masks or other face coverings in public.

Executive Order No. 20-53, Establishing an annual report card for students in foster care.

Executive Order No. 20-54, Drought Declaration.

Executive Order No. 20-55, Amended provisions related to drivers' license and vehicle registration and regulation during state of disaster emergency.

Executive Order No. 20-56, Amended Licensure, Certification, and Registration for persons and Licensure of "Adult Care Homes" during state of disaster emergency.

Executive Order No. 20-57, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-59, Requiring COVID-19 mitigation procedures in K-12 schools.

Executive Order No. 20-60, Extending temporary relief from certain age restrictions concerning online driver's license renewal.

Executive Order No. 20-61, Temporarily prohibiting certain foreclosures and evictions.

Executive Order No. 20-62, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-64, Extending certain Executive Orders relating to the COVID-19 pandemic.

Executive Order No. 20-65, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-66, Amended provisions related to drivers' license and vehicle registration and regulation during state of disaster emergency.

Executive Order No. 20-67, Establishing the Office of Broadband Development.

Executive Order No. 20-68, Establishing a face coverings protocol.

Executive Order No. 20-69, Requiring COVID-19 testing in certain adult care homes.

Executive Order No. 20-70, Provisions related to drivers' license and identification cards during the state of disaster emergency.

Executive Order No. 20-71, Temporary relief from certain unemployment insurance requirements during state of disaster emergency.

Executive Order No. 20-72, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-73, Extending the Governor's Council on Tax Reform.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

## **INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Hawkins, **HR 6001**, by Reps. Ryckman, Hawkins and Sawyer, as follows, was introduced and adopted:

**HOUSE RESOLUTION NO. HR 6001—**

A RESOLUTION providing for the organization of the House of Representatives for the 2021 session.

*Be it resolved by the House of Representatives of the State of Kansas:* That the Chief Clerk of the House of Representatives notify the Senate that the House is organized with the following officers:

Ron Ryckman, speaker,

Blaine Finch, speaker pro tem,  
 Dan Hawkins, majority leader,  
 Tom Sawyer, minority leader,  
 Susan Kannarr, chief clerk,  
 Foster Chisholm, sergeant at arms,  
 and awaits the pleasure of the Senate.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Hawkins, **HR 6002**, by Reps. Ryckman, Hawkins and Sawyer, as follows, was introduced and adopted:

### HOUSE RESOLUTION NO. **HR 6002**—

A RESOLUTION assigning seats in the House of Representatives for the 2021 session.

*Be it resolved by the House of Representatives of the State of Kansas:* That the speaker be assigned seat No. 2; the speaker pro tem be assigned seat No. 1; the majority leader be assigned seat No. 3; the minority leader be assigned seat No. 4; and the remaining members of the house be assigned the following seats: Alcalá 53, Amyx 49, Anderson 98, Arnberger 45, Averkamp 106, Baker 122, Ballard 30, Barker 10, Bergkamp 108, Bergquist 101, Bishop 57, Blex 85, Borjon 79, Burris 121, Burroughs 33, Byers 69, Carlin 31, Carlson 20, Carmichael 56, Carpenter, B. 39, Carpenter, W. 67, Clark 116, Clayton 72, Coleman 87, Collins 95, Concannon 21, Corbet 125, Croft 24, Curtis 16, Day 75, Delperdang 27, Dodson 83, Donohoe 88, Ellis 124, Eplee 61, Esau 123, Estes 80, Fairchild 93, Featherston 71, Finney 52, Francis 23, French 107, Garber 91, Gartner 50, Haswood 32, Helgerson 54, Helmer 92, Henderson 55, Highberger 36, Highland 12, Hoffman 113, Hoheisel 41, Houser 112, Howard 118, Howe 84, Hoye 29, Huebert 119, Humphries 63, Jacobs 105, Jennings 47, Johnson, S. 22, Johnson, T. 62, Kelly 60, Kessler 26, Kuether 51, Landwehr 77, Lee-Hahn 89, Long 25, Lynn 100, Mason 42, Miller 76, Minnix 104, Moser 65, Murphy 99, Neelly 96, Neighbor 48, Newland 110, Ohaebosim 58, Orr 114, Ousley 35, Owens 9, Parker 28, Patton 37, Penn 44, Poetter 81, Poskin 70, Probst 5, Proctor 94, Proehl 59, Rahjes 40, Ralph 38, Resman 97, Rhiley 90, Ruiz, L. 18, Ruiz, S. 68, Samsel 43, Sanders 111, Schreiber 102, Seiwert 115, Smith, A. 11, Smith, C. 66, Smith, E. 120, Stogsdill 34, Sutton 82, Tarwater 19, Thomas 46, Thompson 86, Toplikar 103, Turner 78, Vaughn 73, Victors 17, Waggoner 109, Wasinger 64, Waymaster 7, Weigel 74, Wheeler 117, Williams 8, Winn 13, Wolfe Moore 6, Woodard 15, Xu 14.

The first three seats north of the center aisle in the last row are reserved for the sergeants at arms.

Notwithstanding the foregoing, pursuant to House rules 503 and 3302, the Speaker may designate temporary assigned seats of members of the House in one or more galleries and other areas of the chamber as part of the House chamber.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Hawkins, **HR 6003**, by Reps. Ryckman, Hawkins and Sawyer, as follows, was introduced and adopted:

### HOUSE RESOLUTION NO. **HR 6003**—

A RESOLUTION relating to the rules of the House of Representatives for the 2021 session.

*Be it resolved by the House of Representatives of the State of Kansas:* That except as otherwise hereinafter provided, the rules of the House of Representatives for the 2019-2020 biennium in effect at the time of adjournment sine die of the 2020 regular session of the legislature shall constitute the temporary rules of the House of Representatives for the 2021 regular session until permanent rules are adopted.

*Be it further resolved:* That Rule 503 of the 2019-2020 biennium shall be amended to read as follows and shall constitute a temporary rule of the House until a permanent rule is adopted:

**Rule 503. Galleries.** (a) The Speaker may designate that one or both galleries of the House and other areas of the House Chamber be utilized as part of the House Chamber for the purpose of seat assignments, including temporary assignments, to ensure the proper order and conduct of legislative business. In such case, all rules of the House related to the Chamber and floor of the House are applicable to the galleries and other areas of the House Chamber. In such case, no visitors shall be allowed in one or both of the galleries of the House in accordance with such designation. If no such designation is made by the Speaker, the provisions of subsection (b) are applicable.

(b) Visitors shall be allowed in one or both galleries of the House in accordance with directions to the sergeant at arms from the Speaker. Except for security personnel authorized by the Speaker, the use of telephones and the making of telephone calls in the galleries of the House are prohibited.

*Be it further resolved:* That Rule 1101 of the 2019-2020 biennium shall be amended to read as follows and shall constitute a temporary rule of the House until a permanent rule is adopted:

**Rule 1101. Standing Committees; Names and Members.** (a) The standing committees of the House shall be the following and have the number of members indicated for each:

1. Agriculture .....	17
2. Appropriations.....	23
3. Children and Seniors.....	13
4. Calendar and Printing.....	6
5. Commerce, Labor and Economic Development .....	17-23
6. Corrections and Juvenile Justice .....	13
7. Education .....	17
8. Elections.....	13
9. Energy, Utilities and Telecommunications.....	17
10. Federal and State Affairs.....	23
11. Financial Institutions and <del>Pensions</del> <u>Rural Development</u> .....	17
12. Health and Human Services.....	17
13. Insurance <u>and Pensions</u> .....	17
14. Interstate Cooperation .....	7
15. Judiciary.....	17
16. Local Government.....	13
17. Rules and Journal .....	7
18. <del>Rural Revitalization</del> <u>Redistricting</u> .....	17
19. Taxation .....	23

20. Transportation..... 17  
 21. Veterans and Military..... 13  
22. Water.....17

(b) The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on economic development and tourism, the house standing committee on tourism and the house standing committee on tourism and parks for purposes of references in statutory or other documents. The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on commerce and labor, the house standing committee on economic development and the house standing committee on new economy for purposes of references in statutory or other documents. The house standing committee on agriculture and natural resources shall constitute the successor committee to the house standing committee on environment for purposes of references in statutory or other documents. The house standing committee on insurance and the house standing committee on financial institutions shall constitute the successor committees to the house standing committee on insurance and financial institutions for purposes of references in statutory or other documents. The house standing committee on commerce, labor and economic development shall constitute the successor committee to the house standing committee on commerce and economic development for purposes of references in statutory and other documents. The house standing committee on energy and environment and the house standing committee on utilities and telecommunications shall constitute the successor committees to the house standing committee on energy and utilities for purposes of references in statutory and other documents. The house standing committee on agriculture shall constitute the successor committee to the house standing committee on agriculture and natural resources for purposes of references in the following Kansas statutes: K.S.A. 2016 Supp. 2-3805 and 76-4,112. The house standing committee on energy, utilities and telecommunications shall constitute the successor committee to the house standing committee on energy and environment for purposes of references in the following Kansas statute: K.S.A. 2016 Supp. 66-1285 and shall constitute the successor committee to the house standing committee on utilities and communications for purposes of references in statutory and other documents. The house standing committee on financial institutions and pensions shall constitute the successor committee to the house standing committee on financial institutions and the house standing committee on pensions and benefits for purposes of references in statutory or other documents. The house standing committee on government, technology and security shall constitute the successor committee to the house standing committee on veterans, military and homeland security for purposes of references in the following Kansas statutes: K.S.A. 74-2012 and K.S.A. 2016 Supp. 75-5156 and 75-5158. The house standing committee on veterans and military shall constitute the successor committee to the house standing committee on veterans, military and homeland security for purposes of references in statutory or other documents except for references in the following Kansas statutes: K.S.A. 74-2012 and K.S.A. 2016 Supp. 75-5156 and 75-5158. The house standing committee on water and environment shall constitute the successor committee to the house standing committee on energy and environment for purposes of references in the following Kansas statutory documents: 65-3407c. The house committee on general government budget shall constitute the successor committee to the house standing

committee on government technology and security for purposes of references in the following statutes: K.S.A. 74-2012 and K.S.A. 2018 Supp. 75-5156 and 75-5158. The house standing committee on energy, utilities and telecommunications shall constitute the successor committee to the house standing committee on water and environment for purposes of references in statutory and other documents and in K.S.A. 65-3407c. For purposes of references in statutes and other documents, the House standing Committee on Insurance and Pensions shall constitute the successor committee to the House standing Committee on Financial Institutions and Pensions for pension matters, the House standing Committee on Financial Institutions and Rural Development shall constitute the successor committee to the House standing Committee on Rural Revitalization for rural development matters and the House standing Committee on Water shall constitute the successor committee to the House standing Committee on Energy, Utilities and Telecommunications for water matters.

*Be it further resolved:* That Rule 2312 of the 2019-2020 biennium shall be amended to read as follows and shall constitute a temporary rule of the House until a permanent rule is adopted:

**Rule 2312. Mason's Manual; When Applicable.** (a) In any case where rules of the House or the joint rules of the Senate and House do not apply, Mason's Manual of Legislative Procedure (~~2019~~2020 edition), with the exception of section 4, paragraph 2, shall govern.

(b) Rules of legislative procedure are derived from several sources and take precedence in the order listed below. For the Kansas House of Representatives, the principal sources are as follows: (a) Constitutional provisions; (b) statutory provisions; (c) adopted rules; (d) adopted parliamentary authority; (e) custom, usage and precedents.

*Be it further resolved:* That Rule 3302 of the 2019-2020 biennium shall be amended to read as follows and shall constitute a temporary rule of the House until a permanent rule is adopted:

**Rule 3302. Duties of the Speaker.** In addition to other powers and duties of the Speaker provided by the Rules of the House and by law, the Speaker shall have the powers and duties as follows:

(a) To preserve order and decorum;

(b) to take such actions and measures as necessary to secure the health and safety of the public, legislative staff and members to conduct legislative business by directing changes in House protocol and procedures from the provisions of House rules 101 through 107, 501 through 507, 1305, 1701, 1704, 1906, 2501 through 2509, 3501 through 3507 and 4305. A member may challenge any such action or measure made by the Speaker. Such challenge shall be made by a motion offered on the previous day and shall be upheld by an affirmative vote of a majority of the members elected or appointed;

(c) to decide all questions of order, subject to appeal to the House;

~~(e)~~(d) in the absence of the Speaker Pro Tem, to appoint any member to perform the duties of the chair for not more than two consecutive legislative days; and

~~(d)~~(e) to name a chairperson to preside when the House is in Committee of the Whole.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6004**—

By Representatives Ryckman, Hawkins and Sawyer

A RESOLUTION adopting permanent rules of the House of Representatives for the 2021-2022 biennium.

*Be it resolved by the House of Representatives of the State of Kansas:* The following rules shall be the permanent rules of the House of Representatives for the 2021-2022 biennium.

**RULES OF THE HOUSE OF REPRESENTATIVES**

2021-2022

**ARTICLE 1. HOUSE SESSIONS; GENERAL OPERATION**

**Rule 101. Time of Meeting.** The hour of meeting on the first day of each regular session shall be at 2:00 p.m., and on other days, shall be the hour set at adjournment on the previous legislative day except that if no hour of meeting is set at adjournment on the previous legislative day, the hour of meeting shall be 11:00 a.m. No hour of meeting on any day of the session shall be set prior to 8:00 a.m., and no meeting on any day of the session may continue after 12 midnight, except when a question is under consideration, the meeting may continue until the question is disposed. No meeting may take place between the hours of 12 midnight and 8:00 a.m. on any day of the session.

**Rule 102. Speaker Taking Chair.** The Speaker shall take the chair each day, at the hour to which the House has adjourned. The Speaker shall call the House to order and proceed to business in accordance with the Rules of the House.

**Rule 103. First Business.** The first business each legislative day shall be the taking of the roll, the taking of roll shall be followed by prayer and the prayer shall be followed by the recitation of the pledge of allegiance to the flag of the United States of America led by a member designated by the Speaker.

**Rule 104. Order of Business.** (a) The regular order of business each legislative day, except on days and at times set apart for the consideration of special orders and except as provided by the joint rules of the House and Senate, shall be as follows:

- (1) Introduction and reference of bills and concurrent resolutions.
  - (2) Reports of select committees.
  - (3) Receipt of messages from the Governor.
  - (4) Communications from state officers.
  - (5) Messages from the Senate.
  - (6) Introduction and notice of original motions and house resolutions.
  - (7) Consideration of motions and house resolutions offered on a previous day.
  - (8) The unfinished business before the House at the time of adjournment on the previous day.
  - (9) Consent calendar.
  - (10) Final Action on bills and concurrent resolutions.
  - (11) Bills under consideration to concur and nonconcur.
  - (12) General Orders.
  - (13) Reports of standing committees.
- (b) The presentation of petitions shall be a special order of business on Friday of

each week immediately preceding the regular order of business.

**Rule 105. Members Excused from Attendance.** Members may be excused from attendance on any legislative day by the Speaker for the following reasons and such reasons shall be shown in the Journal: (1) Verified illness; (2) legislative business; and (3) excused absence by the Speaker.

**Rule 106. Introduction of Guests.** Except when permission has been given by the Speaker before taking the chair, no guests in the gallery shall be introduced to the House.

**Rule 107. Session Proforma.** (a) The House of Representatives may meet from time to time for the sole purpose of processing routine business of the House of Representatives. These sessions shall be known as Session Proforma.

(b) Time of Meeting. Session Proforma shall be announced at least one legislative day in advance with the hour for meeting Proforma set on the previous legislative day.

(c) Order of Business. The only orders of business that may be considered during Session Proforma are:

- (1) Introduction and reference of bills and concurrent resolutions.
- (2) Receipts of messages from the Governor.
- (3) Communications from State Officers.
- (4) Messages from the Senate.
- (5) Reports of Standing Committees.
- (6) Presentation of Petitions.

(d) Motions. No motion shall be in order other than the motion to adjourn.

(e) Objections. Any objection by any member shall require the Session Proforma to adjourn to the next day, Saturday and Sunday excluded, at 11:00 a.m.

(f) Quorum and Roll. There shall be no requirement for a quorum or taking of the roll. No demand for a roll call for a quorum shall be in order.

(g) Effect on Certain Rules. If a legislative day referred to in Rule 1309, 1503, 1505, 2303, 2705 or 3705 occurs on a legislative day which is also the day on which a Session Proforma is held, the term "legislative day" as used in such rule means the next legislative day subsequent to the legislative day on which the Session Proforma is held.

**Rule 108. Rulings on Germaneness, Division of Amendments, Points of Order and Procedural Motions.** Any member, upon recognition by the presiding officer, may request a ruling upon the germaneness of any amendment to a bill or resolution, the division of an amendment to a bill or resolution, a point of order or a procedural motion. Any such ruling shall be made by the chairperson of the House Committee on Rules and Journal, or in the absence of the chairperson the vice chairperson of the Committee. At the time of making such ruling, the chairperson, or vice chairperson, shall state the reasons or basis for such ruling. Appeals from rulings of the chairperson, or vice chairperson, may be taken upon the motion of any member. Such appeals shall be in order at the time of the making of the ruling and shall take precedence over any question pending at the time the chairperson, or vice chairperson, makes such ruling.

Appeals from rulings on questions of germaneness of an amendment shall be debatable only by the member making the motion to amend which is the subject of the ruling, the member carrying the measure sought to be amended, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Appeals from rulings on requests for division of an amendment shall be debatable only by the member requesting division of the motion to

amend, the member making the motion to amend which is the subject of the ruling, the member carrying the measure sought to be amended, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Appeals from rulings on a point of order or procedural motion shall be debatable only by the member raising the point of order or making the procedural motion which is the subject of the ruling, the member appealing the ruling, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Each member may speak no more than two minutes. Debate shall be limited to the question of the ruling of the chairperson, or vice chairperson, and, in the case of division of an amendment, shall be limited as provided in Rule 2105.

At the conclusion of debate the presiding officer shall inquire: "Shall the chairperson's (or vice chairperson's) ruling be sustained?"

#### ARTICLE 3. QUORUM

**Rule 301. Quorum, What Constitutes.** A majority of all members then elected (or appointed) and qualified shall constitute a quorum. In the absence of a quorum no business shall be transacted by the House, except as provided in Rule 107, 302 and 303 or to recess or adjourn.

**Rule 302. Absence of Quorum.** In the absence of a quorum during any session of the House, the members present may do what is necessary to attain a quorum. In the absence of a quorum while in the committee of the whole, the committee shall rise and report. Reprimand, censure or expulsion may be imposed as provided by Article 49 when there is found to be no sufficient excuse for absence of a member.

**Rule 303. Roll Call to Determine Quorum.** A roll call shall be taken to determine the existence of a quorum on demand of any member. The result of each roll call to ascertain a quorum shall be recorded in the Journal by statement of the total number present, naming only the absentees.

#### ARTICLE 5. CONDUCT IN THE HOUSE CHAMBER

**Rule 501. Admission to Floor.** (a) During daily sessions, from the time of convening until adjournment to the following legislative day, only the following classes of persons shall be admitted to the floor of the House, the cloakrooms to the east of the house chamber and the hallway at the west of the house chamber: (1) Members of the Legislature; (2) officers and employees of the legislative branch who are properly identified; (3) persons having permits from the Speaker; (4) infants or children who are being breastfed by their mother who is a member of legislature.

(b) No person who is an officer or employee of the executive or judicial branch of Kansas government or an employee of the federal government shall be admitted to the area of the chamber on which legislators' desks are located during the time the House of Representatives is in session, except as provided by resolution, nor shall any such person be on the floor of the House chamber during a call of the House. No person, other than a member, shall lean on the railings on the floor of the House chamber next to the area of the chamber on which legislators' desks are located during any time the House is on final action.

(c) No person registered with the Secretary of State as a lobbyist shall be on the floor of the House chamber 15 minutes before the time of convening the daily session until 15 minutes after adjournment to the following legislative day.

(d) The sergeant at arms shall remove all persons from the floor, except persons

authorized under the Rules of the House or a House resolution.

(e) The provisions of this rule shall not be construed to prevent the right of access (through the west hallway) by persons going directly to or returning from the offices of the Speaker and the Majority Leader.

**Rule 502. Food and Drink.** Members may have food or drink, or both, on their desks in the House chamber only when the member is present at the member's desk.

**Rule 503. Galleries.** (a) The Speaker may designate that one or both galleries of the House and other areas of the House Chamber be utilized as part of the House Chamber for the purpose of seat assignments, including temporary assignments, to ensure the proper order and conduct of legislative business. In such case, all rules of the House related to the Chamber and floor of the House are applicable to the galleries and other areas of the House Chamber. In such case, no visitors shall be allowed in one or both of the galleries of the House in accordance with such designation. If no such designation is made by the Speaker, the provisions of subsection (b) are applicable.

(b) Visitors shall be allowed in one or both galleries of the House in accordance with directions to the sergeant at arms from the Speaker. Except for security personnel authorized by the Speaker, the use of telephones and the making of telephone calls in the galleries of the House are prohibited.

**Rule 504. Placing Material on Member's Desk.** No items or material shall be placed upon the desk of any member of the House unless any such item or material bears the signature and printed name of the member responsible for its distribution. This Rule 504 shall not apply to items or material provided by legislative staff.

**Rule 505. Photographic Record of Vote.** No photographic or similar record shall be made of the vote of any member upon any measure upon which a division of the assembly has been called.

**Rule 506. Wireless Electronic Telecommunications Devices.** Except for security personnel authorized by the Speaker, the use of wireless electronic telecommunications devices emitting an audible sound or tone to announce or initiate communications in the House chamber is prohibited during any time the House is in session.

**Rule 507. Computer Usage.** Computers may be used on the floor of the House chamber only for legislative or personal business during any time the House is in session.

#### ARTICLE 7. INTRODUCTION OF BILLS AND RESOLUTIONS

**Rule 701. Introduction of House Bills and Resolutions.** Every House bill or resolution intended to be introduced shall be delivered to the chief clerk. The delivery shall be by a legislator who is a sponsor of the legislation or by a legislator who is the chairperson or vice chairperson of a legislative committee that has authorized the introduction, or by a legislative staff person or another member of the House authorized by such legislator. In lieu of introduction as provided by this rule, introduction may be as provided by law for prefiled bills and resolutions.

**Rule 702. Introduction of Senate Bills and Concurrent Resolutions.** Senate bills and concurrent resolutions sent to the House shall be introduced upon reading of the message received by the chief clerk.

**Rule 703. Reading of Bills and Resolutions for Introduction.** For the purpose of introduction, the chief clerk shall read bills and resolutions by title, except citations of statutes. The Speaker may require any House resolution to be read in full. The name of the sponsor shall be read if there is only one sponsor. If there are two sponsors, both

names shall be read. If there are more than two sponsors, the name of the first sponsor shall be read, followed by the words "and others."

**Rule 704. Senate Bills and Concurrent Resolutions; Procedure Following Introduction.** Following introduction, all Senate bills and Senate concurrent resolutions when in the House shall follow the same procedure as House bills and House concurrent resolutions.

#### ARTICLE 9. REFERENCE OF BILLS AND RESOLUTIONS

**Rule 901. Reference, Generally.** (a) On the day of introduction or the following legislative day, the Speaker shall refer each bill to:

- (1) A standing committee,
- (2) a select committee,
- (3) the committee of the whole House,
- (4) two or more standing committees separately, or
- (5) two or more standing committees jointly.

(b) On the day of introduction or the following legislative day, the Speaker shall refer each concurrent resolution:

(1) In any way that a bill may be referred under subsection (a), if the concurrent resolution is a proposition to amend the Constitution of Kansas, to call a constitutional convention to amend or revise the Constitution of Kansas, to ratify an amendment to the Constitution of the United States, to apply for a United States constitutional convention, or to amend the joint rules of the House and Senate;

(2) if the concurrent resolution is not one of those specified in subpart (1) of this subsection (b), it may be referred in any way that a bill may be referred under subsection (a), or the Speaker may authorize consideration thereof on the day of introduction under the order of business introduction and reference of bills and concurrent resolutions.

(c) On the day of introduction, the Speaker may refer any House resolution (1) in any way that a bill may be referred under subsection (a) or (2) make no reference, except the Speaker shall make any reference required by the Rules of the House.

(d) Bills or resolutions prefiled under K.S.A. 46-801 et seq., and amendments thereto, for the regular session of the legislature held in even-numbered years may be referred by the Speaker to the appropriate committee or the committee of the whole at any time subsequent to the prefiling of such bill or resolution with the chief clerk of the House.

**Rule 902. Appropriation Bills.** Bills containing more than one item of appropriation shall be referred to the standing committee on appropriations, except that bills introduced by the committee on appropriations may be referred to the committee of the whole House.

**Rule 903. Separately Referred Bills and Resolutions.** (a) When a bill or resolution has been referred separately to two or more standing committees, each committee shall consider the bill or resolution separately in the order specified by the Speaker.

(b) If the first committee to which a bill or resolution has been separately referred reports the bill or resolution adversely, the bill or resolution shall not be considered by the second committee, unless returned to the second committee by the committee of the whole House in accordance with Rule 1505.

(c) When a bill has been referred separately and the report of the first committee was not adverse, the report of the second committee shall be the report considered by

the committee of the whole House.

**Rule 904. Jointly Referred Bills and Resolutions.** When a bill or resolution is jointly referred, it shall be considered and acted upon at a joint meeting of the two committees. The chairperson of the first committee named in the joint referral shall be the chairperson of the joint committee when considering such bill or resolution.

ARTICLE 11. COMMITTEES; COMPOSITION

**Rule 1101. Standing Committees; Names and Members.** (a) The standing committees of the House shall be the following and have the number of members indicated for each:

- 1. Agriculture.....17
- 2. Appropriations.....23
- 3. Children and Seniors.....13
- 4. Calendar and Printing.....6
- 5. Commerce, Labor and Economic Development.....~~17~~23
- 6. Corrections and Juvenile Justice.....13
- 7. Education.....17
- 8. Elections.....13
- 9. Energy, Utilities and Telecommunications.....17
- 10. Federal and State Affairs.....23
- 11. Financial Institutions and ~~Pensions~~ Rural Development.....17
- 12. Health and Human Services.....17
- 13. Insurance and Pensions.....17
- 14. Interstate Cooperation .....7
- 15. Judiciary.....17
- 16. Local Government.....13
- 17. Rules and Journal.....7
- 18. Rural Revitalization Redistricting .....17
- 19. Taxation .....23
- 20. Transportation.....17
- 21. Veterans and Military.....13
- 22. Water.....17

(b) The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on economic development and tourism, the house standing committee on tourism and the house standing committee on tourism and parks for purposes of references in statutory or other documents. The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on commerce and labor, the house standing committee on economic development and the house standing committee on new economy for purposes of references in statutory or other documents. The house standing committee on agriculture and natural resources shall constitute the successor committee to the house standing committee on environment for purposes of references in statutory or other documents. The house standing committee on insurance and the house standing committee on financial institutions shall constitute the successor committees to the house standing committee on insurance and financial institutions for purposes of references in statutory or other documents. The house standing committee on commerce, labor and economic development shall constitute the successor committee to the house standing committee on commerce and economic

development for purposes of references in statutory and other documents. The house standing committee on energy and environment and the house standing committee on utilities and telecommunications shall constitute the successor committees to the house standing committee on energy and utilities for purposes of references in statutory and other documents. The house standing committee on agriculture shall constitute the successor committee to the house standing committee on agriculture and natural resources for purposes of references in the following Kansas statutes: K.S.A. 2016 Supp. 2-3805 and 76-4,112. The house standing committee on agriculture shall constitute the successor committee to the house standing committee on energy and environment for purposes of references in the following Kansas statute: K.S.A. 2016 Supp. 66-1285 and shall constitute the successor committee to the house standing committee on utilities and communications for purposes of references in statutory and other documents. The house standing committee on financial institutions and pensions shall constitute the successor committee to the house standing committee on financial institutions and the house standing committee on pensions and benefits for purposes of references in statutory or other documents. The house standing committee on government, technology and security shall constitute the successor committee to the house standing committee on veterans, military and homeland security for purposes of references in the following Kansas statutes: K.S.A. 74-2012 and K.S.A. 2016 Supp. 75-5156 and 75-5158. The house standing committee on veterans and military shall constitute the successor committee to the house standing committee on veterans, military and homeland security for purposes of references in statutory or other documents except for references in the following Kansas statutes: K.S.A. 74-2012 and K.S.A. 2016 Supp. 75-5156 and 75-5158. The house standing committee on water and environment shall constitute the successor committee to the house standing committee on energy and environment for purposes of references in the following Kansas statutory documents: 65-3407c. The house committee on general government budget shall constitute the successor committee to the house standing committee on government technology and security for purposes of references in the following statutes: K.S.A. 74-2012 and K.S.A. 2018 Supp. 75-5156 and 75-5158. The house standing committee on energy, utilities and telecommunications shall constitute the successor committee to the house standing committee on water and environment for purposes of references in statutory and other documents and in K.S.A. 65-3407c. For purposes of references in statutes and other documents, the House standing Committee on Insurance and Pensions shall constitute the successor committee to the House standing Committee on Financial Institutions and Pensions for pension matters, the House standing Committee on Financial Institutions and Rural Development shall constitute the successor committee to the House standing Committee on Rural Revitalization for rural development matters and the House standing Committee on Water shall constitute the successor committee to the House standing Committee on Energy, Utilities and Telecommunications for water matters.

**Rule 1102. Committee Appointments.** (a) The Speaker shall appoint the members of the standing committees. The Speaker may remove or replace any such committee member at any time.

(b) The Speaker shall appoint the chairperson and vice chairperson of each standing committee. The Speaker may remove or replace any such chairperson or vice chairperson at any time.

**Rule 1103. Select Committees.** The Speaker may appoint select committees and the chairpersons and vice chairpersons thereof. The Speaker may remove or replace any such chairpersons or vice chairpersons or members of such committees. Select committees shall meet on call of the chairperson or when directed by the Speaker.

**Rule 1104. Announce Appointments.** All committee appointments shall be announced in open session.

**Rule 1105. Budget Committees.** (a) There is hereby created the following budget committees of the committee on appropriations, which shall have the number of members indicated for each:

- 1. Agriculture and natural resources budget..... 9
- 2. General government budget..... 9
- 3. Higher education budget.....9
- 4. K-12 education budget.....13
- 5. Legislative budget..... 8
- 6. Social services budget..... 9
- 7. Transportation and public safety budget..... 9

(b) Members of the budget committees are not required to be members of the committee on appropriations. The Speaker shall appoint the members, chairpersons and vice-chairpersons of the budget committees. The Speaker may remove or replace any such chairperson, vice-chairperson or member at any time.

(c) Budget committees shall be advisory to and make recommendations to the committee on appropriations regarding matters referred to the budget committee by the committee on appropriations. A budget committee is authorized to introduce bills or resolutions within the subject matter of the budget committee. Except as otherwise provided in this rule, budget committees shall be deemed to be standing committees under the rules of the House of Representatives. Budget committee meetings are subject to the Kansas open meetings act, K.S.A. 75-4317a et seq., and amendments thereto.

ARTICLE 13. COMMITTEES; PROCEDURE

**Rule 1301. Committee Meetings; Time and Place.** (a) When the Legislature is in session, standing committees shall meet at the times and place assigned by the Speaker on the call of the chairperson.

(b) Also, when the Legislature is in session, a standing committee shall meet upon written request of three members of the committee. Such a request shall be submitted to the Speaker and the chairperson at least one legislative day before the requested time of meeting. The time and place of a meeting under this subsection (b) shall be set by the chairperson with the approval of the Speaker.

**Rule 1302. Notice and Agenda for Committee Meetings.** The chairperson shall provide notice of meetings and an agenda or agenda information to committee members, the chief clerk and the public. The chief clerk shall include in the calendar such information as is practical.

**Rule 1303. Duties of Committee Chairperson.** The principal duties of the chairperson of a standing committee are:

- (a) To preside over meetings of the committee and to put all questions;
- (b) to maintain order and decide all questions of order subject to appeal to the committee;
- (c) to supervise and direct staff of the committee;
- (d) to keep, or have the committee secretary keep, subject to the approval of the

committee at a subsequent meeting, minutes of meetings which shall include:

- (1) The time and place of each meeting of the committee;
- (2) the attendance of committee members;
- (3) the names and city and state of residence of persons appearing before the committee and whom each represents; and
- (4) when a committee recommends amendments to a bill that strike all sections in the bill subsequent to the enacting clause that contain new or amendatory language and inserts sections that contain new or amendatory language, a notation specifying: (A) The committee that recommended the amendment or amendments; (B) the date the amendment or amendments were recommended; and (C) the bill number of the source bill or bills, if any, that included the inserted sections added to the underlying bill pursuant to the amendment or amendments. Such information contained in this subsection shall also be included in the committee action index;
- (e) to prepare and sign reports of the committee and submit them promptly to the chief clerk;
- (f) to appoint subcommittees to perform duties on an informal basis; and
- (g) to inform the Speaker of any committee activity which caused any member of the committee to be absent during any recorded vote.

**Rule 1304. Introduction of Committee Bills and Resolutions.** (a) A committee may sponsor bills and resolutions for introduction while the Legislature is in session respecting any matters referred to it. Unless approved by the Speaker, a standing committee may sponsor bills and resolutions for introduction only within the general subject area assigned to the committee. No standing committee shall originate a bill which is substantially identical with any bill which has been referred to another standing committee, and which is under consideration by such committee.

(b) Requests for bill introductions shall be the first order of business for each committee meeting, except that for committees subject to the committee bill request deadline specified in joint rule 4(c) of the joint rules of the Senate and House of Representatives, until the last day for committee to request bills for introduction in such joint rules. The person making the request shall state for the minutes of the committee such person's name, a short description of the bill, the RS number and the name of the individual or organization on behalf of which the bill is being requested, if any. To be considered, a request must have previously been assigned an RS number by the Office of Revisor of Statutes. Requests for bill introductions shall be deemed accepted as offered unless there is objection by a committee member. Upon objection, a vote of the committee will be required to accept the request for introduction.

**Rule 1305. Quorum of a Committee.** A quorum shall be present at a meeting for a committee to act officially. A quorum of a committee is a majority of the members of the committee. A quorum of a committee may transact business and a majority of the quorum, even though it is a minority of the committee, may adopt a committee report.

**Rule 1306. Voting in Committees.** (a) All final actions by a committee shall be taken at a called meeting while the Legislature is in session. The final action taken shall be recorded in the committee minutes. An individual member's vote may be recorded at the member's request.

(b) The committee chairperson may vote but shall not be required to vote unless the committee is equally divided. If the chairperson's vote makes the division equal, the question shall be lost.

(c) An action formally taken by a committee cannot be altered in the committee except by reconsideration and further formal action of the committee.

(d) A motion to take from the table may be adopted by the affirmative vote of a majority of the members present at any called meeting of the committee.

**Rule 1307. Procedure in General.** Committee procedure shall be informal, but where any questions arise thereon, the rules or practices of the House are applicable except that the right of a member to speak to any question shall not be subject to the limitations prescribed by Rule 1704. All motions in a committee shall require a second.

**Rule 1308. Committee Action on Bills and Resolutions.** (a) A committee shall not take action to report a bill out of committee on the same day that the committee holds a hearing on the bill unless the committee approves such action by a two-thirds vote.

(b) A committee may recommend amendments to measures referred to it which are germane to the subject of the measure. Committee recommendations shall be made by committee report to the House. Committee reports shall be signed by the chairperson or other committee members authorized by the committee to make the report, and shall be transmitted to the House not later than the second legislative day following the action of the committee. If a committee recommends amendments to a bill or resolution referred to it that strike all sections in the bill or resolution subsequent to the enacting clause that contain new or amendatory language or resolving clause and inserts sections that contain new or amendatory language, and the bill or resolution was sponsored by an individual member or members, the committee becomes the sponsor of the bill or resolution and the committee name will be printed on the bill as the sponsor.

(c) All committee reports on bills and resolutions shall be recorded in the Journal.

(d) If amendments are pending on a measure when referred to a committee, the amendments accompany the bill and the committee may recommend the adoption or rejection of the amendments already proposed and make further recommendations.

**Rule 1309. Motion to Withdraw a Bill or Resolution from a Committee.** (a) If a committee does not report on any bill or resolution within 10 legislative days after its reference to the committee, the bill or resolution may be withdrawn from the committee by an affirmative vote of 70 members of the House. Such a motion shall be made in writing, giving the reasons for withdrawal from the committee. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions. Only one bill or resolution may be named in such a motion. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made. If the motion prevails, the bill or resolution shall be placed on the calendar under the order of business General Orders.

(b) Motions to withdraw a bill or resolution from a committee are not subject to amendment or debate.

(c) The provisions of subsections (a) and (b) of this rule shall not apply to resolutions adopting or amending rules of the House. Resolutions relating to the adoption or the amendment of rules of the House may be withdrawn from the Committee on Rules and Journal at any time by the affirmative vote of 63 members of the House.

**Rule 1310. Wireless Electronic Telecommunications Devices.** Except for security

personnel authorized by the Speaker, the use of wireless electronic telecommunications devices emitting an audible sound or tone to announce or initiate communications in a committee room is prohibited during any time when a committee or subcommittee is in session in the room.

#### ARTICLE 15. CALENDAR LOCATION OF BILLS AND RESOLUTIONS

**Rule 1501. General Orders; Description and Function.** Bills, concurrent resolutions and House resolutions reported for further action by the committee to which they were referred and bills and concurrent resolutions referred directly to the committee of the whole shall constitute the General Orders of the calendar of the House. The titles of such bills and resolutions shall appear under the heading General Orders in the order directed by the Speaker and the Majority Leader. The reporting committee and its action on the bill or resolution shall be shown under each bill and resolution. Such bills and resolutions shall be considered by the committee of the whole in the order which they appear on General Orders. The Speaker and the Majority Leader may consult with the Committee on Calendar and Printing in preparing the order of bills and resolutions under this rule.

**Rule 1502. Posting of Sequence for Succeeding Day.** When the Speaker and the Majority Leader have prepared the sequence of bills and resolutions to appear on General Orders for the succeeding legislative day, a copy of the list giving the number designation of each bill and resolution in the order they are to appear shall be posted near the entrance to the House chamber. No bill or resolution shall appear on General Orders or be considered in the committee of the whole without notice of the same having been announced in the House not later than 4:00 p.m. or prior to adjournment if at a later hour on the previous day.

**Rule 1503. Change in the Sequence on General Orders.** (a) The order of a bill or resolution on General Orders may be changed by unanimous consent or by the affirmative vote of 70 members on a motion made as provided in this subsection. Such a motion shall be made in writing, giving the reasons for the proposed change. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions. Only one bill or resolution may be named in such a motion. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made. If such a motion fails, a motion to change the order on General Orders of such bill shall not be in order until the fifth legislative day following such failure.

(b) Motions to change the order of a bill or resolution on General Orders are not subject to amendment or debate.

(c) This Rule 1503 does not apply to the addition or removal of a bill or resolution from General Orders.

**Rule 1504. Adversely Reported Bills and Resolutions; Calendar Location.** Bills and resolutions that are adversely reported shall appear on the calendar for one day under the heading bills adversely reported.

**Rule 1505. Motion to Move Adversely Reported Bill or Concurrent Resolution to General Orders.** (a) A motion to add an adversely reported bill or resolution to General Orders shall be made in writing. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions, and such

motion may not be made after the legislative day when the bill or resolution appears on the calendar under Rule 1504. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made.

(b) When a bill or resolution has been separately referred and is adversely reported by the first committee of separate reference, a motion to add the adversely reported bill or resolution to General Orders is not in order, but a motion to move the adversely reported bill or resolution to the next committee of separate reference may be made in the same manner as the motion in subsection (a).

(c) Adoption of a motion under this Rule 1505 requires the affirmative vote of 70 members of the House.

(d) If a motion under subsection (a) prevails, the words "Adversely Reported" shall be printed in a line below the title of the bill when it is listed on General Orders.

**Rule 1506. Motion to Lay on Table Bill or Resolution while on Final Action Subject to Amendments and Debate.** When a motion to lay on the table a bill or resolution is adopted while on final action subject to amendment and debate, on the next legislative day such bill or resolution shall be placed on the calendar under the order of business the unfinished business before the House at the time of adjournment on the previous day.

**Rule 1507. Disposition of Bills Subject to Certain Deadlines.** Any bill which is subject to a deadline for consideration under subsection (e) or subsection (f) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives and which remains on General Orders at the close of business on such deadline day shall be considered as killed and shall be stricken from the calendar unless such bill is referred by the speaker to a committee before the close of business on such day. Any bill so referred shall be subject to all applicable deadlines under the Joint Rules of the Senate and House of Representatives.

#### ARTICLE 17. MEMBERS ADDRESSING THE HOUSE

**Rule 1701. Requesting the Floor.** Any member desiring to request the floor shall press the member's "speak bill" button, and shall not proceed until recognized by the chair.

**Rule 1702. Order During Speaking.** While a member is speaking to the House, no other member shall engage in private conversation or pass between the member speaking and the chair.

**Rule 1703. When Question is Put.** While a question is being put or a roll call or division is being taken, members are not to speak or leave their seats.

**Rule 1704. Violation of Rules While Speaking.** (a) Members shall address the House from the microphone located in the well of the House chamber.

(b) No member shall speak more than twice on the same day to the same question without leave of the House, unless the member is the mover or is carrying the measure, in which case such member may open and close the debate and may respond to direct questions from other members addressed to them during the course of consideration of the measure. For the purposes of this subsection, an amendment to any measure shall be considered as a separate and independent question.

(c) The privilege of a member carrying a measure to open and close the debate shall

not be affected by any order for the previous question or that debate shall cease. Such member may occupy 20 minutes in closing the debate after the previous question is ordered and may divide that time with other members.

(d) While a member is carrying a measure, such member may yield to another member for explanation of the measure, or for personal explanation, or for a motion to adjourn without losing the privilege to carry the measure for the remainder of their time except that such member may not yield to any member who has already spoken twice on such question on the same day.

(e) If any member, in speaking, violates the rules of the House, the chair shall call such member to order.

**Rule 1705. Point of Personal Privilege.** Except when permission has otherwise been given by the Speaker before taking the chair:

(a) A member shall be allowed to raise a point of personal privilege only for the following purposes: (1) Recognition of another member or former member of the House; or (2) recognition of an individual or group which has received statewide or national award or statewide or national recognition.

(b) A member shall be allowed to speak not more than five minutes in making a point of personal privilege.

#### ARTICLE 19. COMMITTEE OF THE WHOLE

**Rule 1901. Motion to go into Committee of the Whole House.** When the order of business General Orders is reached, a motion shall be in order for the House to go into Committee of the Whole for consideration of bills and resolutions as listed on General Orders.

**Rule 1902. Committee of the Whole; Normal Procedure.** Bills and resolutions shall be considered in the Committee of the Whole as follows: If the standing committee has recommended that the bill or resolution be amended, the standing committee report shall first be considered, and if it is adopted, the bill as amended by the committee report shall be considered section by section, and as each section is considered, amendments from the floor are in order to that section. If the committee report is not adopted, or if the committee has recommended no amendments, the bill, without committee amendments, shall be considered section by section, and as each section is considered, amendments from the floor are in order to that section. After a section has been once considered, no amendment thereto shall be in order until the whole bill shall have been considered section by section. After the original bill, together with standing committee amendments if any, has been considered section by section, the chairperson shall announce, "Amendments to the bill generally are in order," and amendments not before offered may be made to any part of the bill. A motion that when the committee arises it report a bill favorably, or report a bill favorably as amended, shall not be in order until all other motions have been disposed of, and such a motion shall not be offered as a substitute motion. A motion to strike the enacting clause is in order at any stage until the final vote is announced. The motion to strike the enacting clause may be debated upon the merit of the proposition, and shall not be subject to amendment or substitution. A roll call vote shall be taken upon a motion to strike the enacting clause.

**Rule 1903. Motion to Pass Over a Bill or Resolution While in Committee of the Whole.** When in the Committee of the Whole, either (1) a motion to pass over a bill or resolution and that it retain its place on the Calendar or (2) a motion to pass over a bill

or resolution and that it retain a place on General Orders shall be in order only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it. Either motion shall require the vote of a majority of the members present for adoption. Motions under this rule shall not be subject to debate.

**Rule 1904. Motions to Refer Bills or Resolutions to a Committee While in Committee of the Whole.** When in the Committee of the Whole, a motion may be made to refer a bill or resolution to a standing committee only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it. Such motion shall require the vote of a majority of the members present for adoption.

**Rule 1905. Striking Bills and Resolutions from the Calendar While in Committee of the Whole.** (a) While in Committee of the Whole, a motion to strike a bill or resolution from the calendar shall be in order only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it.

(b) A motion to strike a bill from the calendar under this Rule 1905 (1) shall require a vote of a majority of the members present for adoption, and (2) shall be subject to roll call in accordance with subsection (e) of Rule 2507, but shall not be subject to a call of the House under Rule 2508.

**Rule 1906. Requesting the Floor.** Any member desiring to request the floor shall press such member's "speak bill" button to speak on a bill or offer an amendment and "speak amendment" button to speak on a pending amendment, and shall not proceed until recognized by the chairperson of the Committee of the Whole.

**Rule 1907. Rules Applicable.** The same rules, except Rule 2508, shall be observed in the Committee of the Whole as in the House, so far as the same are applicable, except that the previous question and the motion to lay on the table shall not apply.

**Rule 1908. Rise and Report.** A motion for the Committee of the Whole to rise and report shall be in order at any stage, and shall be decided without debate. When the Committee of the Whole has a bill under consideration and rises without final action thereon, the bill shall retain a place on General Orders.

**Rule 1909. Effect of Recommendation of Committee of the Whole.** Bills recommended for passage and resolutions recommended for adoption by the Committee of the Whole shall not be subject to amendment or debate after the adoption by the House of the Committee of the Whole report. When a bill or resolution is reported with the recommendation that the enacting or resolving clause be stricken, and the Committee of the Whole report is adopted by the House, the bill or resolution shall be considered as killed and shall be stricken from the calendar.

**Rule 1910. Report of Committee of the Whole.** When the report of the Committee of the Whole recommends the passage of a bill or adoption of a resolution, and the report is adopted by the House, such bills and resolutions shall be considered as ordered to the order of business Final Action. If the bill or resolution has been amended by the Committee of the Whole it shall be reprinted.

#### ARTICLE 21. AMENDMENT OF BILLS AND RESOLUTIONS

**Rule 2101. Germaneness.** Amendments to bills and resolutions shall be germane to the subject of the bill or resolution. The principal test of whether an amendment is germane shall be its relationship to the subject of the bill or resolution, rather than to

wording of the title thereof. The amendment, including any amendment from the floor to strike all of the substantive provisions of a bill or resolution and insert other provisions, must be relevant, appropriate, and have some relation to or involve the same subject as the bill or resolution to be amended. For the purposes of this rule the subject matter of any appropriation bill is the spending and appropriating of money and any amendment which changes the amount of money spent in any state agency or program is germane to any appropriation bill.

**Rule 2102. Form of Amendment Motions.** Motions to amend bills and resolutions shall specify the page and line number, as shown on the printed bill or resolution, and shall be in writing on a form provided by the House or a form substantially similar. A motion shall be out of order unless the written motion is first delivered to the chief clerk. In the case of amendment by substitute bill, motion shall be made to substitute a written bill for the bill under consideration.

**Rule 2103. Reading Amendments; General Rule.** Motions to amend bills and resolutions shall not require readings as for bills introduced, except as otherwise provided in Rule 2107, but shall be subject to Rule 2306.

**Rule 2104. Motions to Amend Motions.** A motion to amend a motion to amend a bill or resolution shall not be in order.

**Rule 2105. Dividing Amendments.** (a) When any motion to amend a bill or resolution contains distinct propositions, it shall be divided by the presiding officer at the request of any member. The division by the presiding officer shall be made in accordance with the following:

(1) A motion to strike out and insert words of less than a sentence shall be indivisible;

(2) the distinct propositions shall be only in the form submitted in the motion to amend;

(3) each proposition must be so distinct that, one being removed, the remainder may stand entirely on their own; and

(4) those portions of a motion to amend a bill as described in Rule 2110 shall be indivisible.

(b) Upon a request to divide a motion to amend a bill or resolution, the presiding officer shall inquire as to whether there is a request for a ruling on germaneness of the motion to amend. If such a request is made, the issue of germaneness shall be determined prior to dividing the motion.

If no request for a ruling on germaneness of the motion to amend is made, the presiding officer shall proceed to divide the motion to amend in accordance with this rule, and no subsequent request for a ruling on germaneness of any distinct proposition of the motion so divided shall be in order.

(c) The presiding officer, or any member, may request that the member requesting the division make the request in writing specifying the manner in which the motion to amend should be divided.

(d) The division of the motion to amend shall be in accordance with the rules of the House and with items (1) to (4), inclusive, of subsection (a). The ruling of the chairperson of the Committee on Rules and Journal, or in the chairperson's absence the vice chairperson of the Committee, on how to divide the motion to amend shall not be subject to appeal except that any member may appeal the ruling of the chairperson, or vice chairperson, on the grounds that the division is not in accordance with a rule of the

House including the provisions of items (1), (2), (3) or (4) of subsection (a), or any combination thereof.

**Rule 2106. Substitute Motions.** No substitute motion to amend a bill or resolution shall be in order.

**Rule 2107. Subject Change by Senate.** (a) When the Senate adopts amendments to a House bill which materially changes its subject, upon return of such bill to the House, it shall be read as provided for the introduction of bills and be referred as provided in Rule 901.

(b) The Speaker may determine when a bill is subject to subsection (a). An affirmative vote of 70 members shall be required to sustain a challenge to the Speaker's determination hereunder.

**Rule 2108. Motions to Strike Out and Insert.** The rejection of a motion to amend a bill or resolution by striking out and inserting one proposition shall not prevent a motion to strike out and insert another proposition, nor prevent a subsequent motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

**Rule 2109. Identical Motions.** Except upon the unanimous consent of the House, an identical motion to amend a bill or resolution shall not be made a second time on the same legislative day.

**Rule 2110. Floor Amendments to Bills Making Appropriations.** (a) Unless by majority consent to correct an error in drafting, no floor amendment to increase the amount of expenditures that would be authorized in a provision of an appropriations bill shall be in order unless the amendment contains a provision reducing, by a like or greater amount, expenditures that would be authorized in another provision of such appropriations bill.

(b) The provisions of subsection (a) shall not apply if the ending balance in the state general fund for the ensuing fiscal year is equal to 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year based on the most recent budget profile of the Kansas legislative research department.

#### ARTICLE 23. PROCEDURAL MOTIONS

**Rule 2301. Order of Motions.** When a question is under consideration, no motion shall be received except as specified under the Rules of the House, which motions shall have precedence in the following order:

- (a) For adjournment of the House.
- (b) For call of the House.
- (c) To lay on the table.
- (d) For the previous question.
- (e) To postpone to a certain time.
- (f) To commit to a standing committee.
- (g) To commit to a select committee.
- (h) To reject the adoption of reports of conference committees coupled with the request for appointment of a new conference committee.
- (i) To adopt the report of conference committees.
- (j) To amend.
- (k) To postpone indefinitely.

**Rule 2302. Motion to Adjourn.** The motion to adjourn shall always be in order,

except while a vote is being taken and until announced, or when a member has the floor, or when the previous question is pending; but a motion to recess is not equivalent to a motion to adjourn.

**Rule 2303. Motion to Reconsider.** A motion to reconsider shall take precedence of all other questions except the motion to adjourn. No motion for reconsideration of any vote shall be in order, unless made on the same day or the legislative day following that on which the decision to be reconsidered took place, nor unless a member voting with the prevailing side shall move such reconsideration. A motion for reconsideration, being put and lost, shall not be renewed, nor shall any subject or vote be a second time reconsidered without unanimous consent, but this provision shall not be construed as preventing the introduction of a bill on the same subject. The member moving for reconsideration shall be allowed not more than two minutes for stating the reasons in support of the motion. Such motion shall be subject to debate by any member, stating reasons in support or opposition to the motion. Each of such members shall be allowed not more than one minute for the purpose of such debate. Such motion shall require the affirmative vote of members equal in number to that required to take the action proposed to be reconsidered. A motion to reconsider any final action of the House shall be in order at any time prior to the time at which the message of the House thereon is read into the record of the Senate. A motion to reconsider any final action of the House may be made after the time at which the message of the House thereon is read into the report of the Senate but any action taken pursuant thereto will be contingent upon the return of the measure to the House by the Senate.

**Rule 2304. Previous Question.** The "previous question" shall be: "Shall the main question be now put?" and until it is decided shall preclude all amendments or debate. When voting on the previous question, the House decides that the main question shall not now be put, the main question shall be considered as still remaining under debate. The main question shall be on the passage of the bill, resolution or other matter under consideration. When amendments are pending, a vote shall first be taken upon such amendments in their order without further debate or amendment. A majority vote of the members present shall order the previous question.

**Rule 2305. Motions Not Subject to Debate.** All questions relating to priority of business shall be decided without debate. The motion to adjourn, to change the order of consideration of a bill, for a call of the House, and to lay on the table shall be decided without amendment or debate. The several motions to postpone or commit shall preclude all debate on the main question.

**Rule 2306. Motion to Refer Bills or Resolutions to Committee When Not in Committee of the Whole.** When not in the Committee of the Whole, a motion to refer a bill or resolution from the Calendar to a standing committee shall be in order only when the body is meeting as the House of Representatives and shall be authorized only when offered by the Majority Leader, or in the absence of the Majority Leader, by the Assistant Majority Leader. Such motion shall require the affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

**Rule 2307. Motion to Strike Bills and Resolutions from Calendar When Not in Committee of the Whole.** When not in the Committee of the Whole, a motion to strike a bill or resolution from the Calendar shall be in order only when the body is meeting as the House of Representatives and shall be authorized only when offered by the Majority Leader, or in the absence of the Majority Leader, by the Assistant Majority Leader. Such

motion shall require the affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

**Rule 2308. Stating Question.** Every motion shall be first stated by the presiding officer or read by the chief clerk, before debate, and again immediately before putting the question.

**Rule 2309. Dividing Motion.** If any motion, other than a motion under Rule 2105, contains distinct propositions, it shall be divided by the chairperson at the request of any member. Motions under Rule 2105 shall be divided in accordance with that rule.

**Rule 2310. When Motions to be in Writing.** Every motion, except those specified in Rules 2301 and 2303, shall be in writing if the Speaker or any member desires it. All motions to amend a bill or resolution and all resolutions shall be in writing.

**Rule 2311. Suspension of Rules of the House.** (a) No rule of the House shall be suspended except by unanimous consent or by an affirmative vote of a majority of the members then elected (or appointed) and qualified to the House, subject to the following exceptions:

(1) A motion to suspend the rules, and to declare an emergency and to advance a bill to the order of business Final Action, as contemplated in article 2, section 15 of the Constitution shall require an affirmative vote of 2/3 of the members present in the House.

(2) A motion to suspend the rules and to permit amendment and debate of a bill under the order of business Final Action shall require an affirmative vote of 2/3 of the members present in the House.

(b) When under the rules of the House a motion, question or action requires a vote of a majority greater than a majority of the members present, the majority specified for such motion, question or action shall be required to suspend the rules for the purpose of such motion, question or action. When under the rules of the House notice of a motion reduces the required majority for adoption of the motion, the required majority shall not be reduced if the notice is disposed of by suspension of the rules.

(c) Suspension of the rules or unanimous consent shall not reduce the majority required under subpart (1) of subsection (a) of this rule.

**Rule 2312. Mason's Manual; When Applicable.** (a) In any case where rules of the House or the joint rules of the Senate and House do not apply, Mason's Manual of Legislative Procedure (~~2010~~2020 edition), with the exception of section 4, paragraph 2, shall govern.

(b) Rules of legislative procedure are derived from several sources and take precedence in the order listed below. For the Kansas House of Representatives, the principal sources are as follows: (a) Constitutional provisions; (b) statutory provisions; (c) adopted rules; (d) adopted parliamentary authority; (e) custom, usage and precedents.

#### ARTICLE 25. VOTING

**Rule 2501. Control and Use of Voting System.** The electronic voting system shall be under the control of the Speaker or other presiding officer and shall be operated by the chief clerk. The electronic voting system shall be used to record the vote whenever a roll call vote is taken on any question and may be used for ascertaining the vote upon any measure upon which a division of the assembly has been called. In the event that the system is not operating properly, roll call votes may be taken by calling the roll.

**Rule 2502. Procedure for Taking a Roll Call Vote.** When a roll call vote is taken,

the presiding officer shall state the question and instruct the members to proceed to vote. When sufficient time has been allowed the members to vote, the presiding officer shall inquire: "Has every member had an opportunity to vote?" After a short pause the presiding officer shall direct the chief clerk to close the roll. After the roll has been closed, when Rule 2505 applies, the presiding officer shall inquire: "Does any member desire to explain his or her vote?" and any member so desiring may give such explanation when recognized by the presiding officer. The presiding officer shall inquire: "Does any member desire to change his or her vote?" If any member does desire to change his or her vote, such member when recognized by the presiding officer, shall advise how they desire to change such vote and the presiding officer shall then instruct the chief clerk to make the appropriate change. A member who has not previously voted may vote at this time when permitted by the presiding officer. Such member shall advise how they wish to vote and the presiding officer shall then instruct the chief clerk to record such vote. After all members who desire to vote or to change their votes have had reasonable opportunity to do so, the presiding officer shall announce the vote and, when the vote has been announced, shall direct the chief clerk to record the vote.

**Rule 2503. Display of Recurring Totals.** Under Rule 2502, recurring totals shall be displayed only after the roll is closed. No recurring totals shall be displayed for a determination of the vote upon a division of the assembly.

**Rule 2504. Voting by Members.** (a) A member may vote only when at their desk or at any place within the chamber of the House when authorized by the presiding officer, who shall direct the chief clerk to so vote for such member.

(b) No member shall vote for another member. No person not a member shall cast a vote for a member, except as otherwise provided in the rules. In addition to such penalties as may be prescribed by law, any member who votes or attempts to vote for another member shall be subject to Article 49 of these rules. If a person not a member votes or attempts to vote for any member, such person shall be barred from the floor of the House for the remainder of the session, and, in addition to penalties prescribed by law, may be punished further as the House determines.

(c) The Speaker shall not be compelled to vote except in case of a tie.

**Rule 2505. Explaining Vote.** Any member may, when a roll call vote is being taken on the passage or adoption of any bill or resolution, explain their vote. Such member shall be allowed not more than one minute for such explanation. Such explanation, if furnished in writing and signed, with printed name and district number, by such member by 4:00 p.m. upon the day the vote is taken or if the vote is taken subsequent to 3:30 p.m., within one-half hour after the adjournment of the House on that day, shall be entered in the Journal, provided it does not contain more than 100 words.

**Rule 2506. Copies of Voting Records.** (a) Unless otherwise ordered, the chief clerk shall record each roll call vote and make copies available for the use of the news media. No record shall be made of the vote of any member voting upon any measure upon which a division of the assembly has been called.

(b) When a roll call vote is taken, it shall be recorded in the Journal by a statement of the names and total number voting in the affirmative, the names and total number voting in the negative, names and total number indicating presence but not voting and the names and total number absent or not voting, except that the provisions of this section shall not permit a member to fail to vote in violation of Rule 2508.

**Rule 2507. When Roll Call Vote to be Taken.** (a) A roll call vote shall be taken for the passage of any bill.

(b) A roll call vote shall be taken for the adoption of any concurrent resolution to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate. A roll call vote is not required for adoption of concurrent resolutions pertaining to commendations or acknowledgments, unless required under subsection (c) of Rule 2507.

(c) A roll call vote shall be taken for the adoption of any House resolution to adopt, amend or revoke any rule of the House or to reject any executive reorganization order.

(d) A roll call vote shall be taken to concur in Senate amendments to any bill or concurrent resolution or to adopt any conference committee report other than a report agreeing to disagree.

(e) A roll call vote shall be taken on any question on demand of 15 members, unless a roll call vote is already pending.

**Rule 2508. Call of the House.** (a) A call of the House shall be ordered on the demand of any 10 members at any stage of the voting previous to the announcing of the vote or, if the voting system is used, prior to recording the vote. This Rule 2508 shall apply to the taking of a vote upon the final passage of any bill or final adoption of any resolution whether under the order of business Final Action or under any order of business. Also, this Rule 2508 shall apply to the taking of a vote on a motion to strike the enacting clause of a bill and the resolving clause of a resolution and on a motion to strike all after the enacting clause or resolving clause, except when the House is in the Committee of the Whole. When the call of the House is invoked, the doors to the House chamber shall be secured and all members shall be required to be in their seats unless excused by the Speaker. All members present during the call shall be required to vote before the call is raised. The call of the House shall not be raised (so long as 10 members continue the demand) until a reasonable effort, as determined by the Speaker, has been exerted to secure absentees.

(b) Any member, who is directly interested in a question, may be excused from voting, when there is a call of the House. The member, who is requesting to be excused from voting, shall state the reasons therefor, occupying not more than five minutes. The question on excusing such member from voting shall be taken without debate and a  $\frac{2}{3}$  majority of members present shall be necessary to excuse such member. If a member refuses to vote, when not excused, such refusal shall constitute grounds for reprimand, censure or expulsion under Article 49 of the Rules of the House.

**Rule 2509. Voice Vote; Division of the Assembly.** Except when a roll call vote is required, a voice vote shall be taken on all questions. Any member may call for a division of the assembly to determine the vote by the voting system.

#### ARTICLE 27. FINAL ACTION

**Rule 2701. Description and Function.** Subject to Rule 2705, bills and resolutions reported favorably by the Committee of the Whole shall constitute the order of business Final Action of the House. The titles of such bills and resolutions shall appear under the heading Final Action in numerical order. The standing committee which reported it and the Committee of the Whole action on the bill or resolution shall be shown under each

thereof.

**Rule 2702. Reading and Vote.** Each bill and resolution under the order of business Final Action shall be read by title, except citations of statutes amended or repealed and a roll call vote shall then be taken upon final passage or adoption without amendment or debate.

**Rule 2703. Amendment and Debate, When.** Upon motion as provided in subpart (2) of subsection (a) of Rule 2311 or when recommended in the Committee of the Whole report which has been adopted by the House, bills or resolutions may be debated and amended on Final Action prior to the vote taken upon final passage or adoption. Each bill or concurrent resolution considered under this Rule 2703 shall be considered in the manner provided in Rule 1902 so far as it is applicable. A motion to strike the enacting clause or resolving clause shall be in order.

**Rule 2704. Speaker to Preside.** Subject to Rule 3303, the Speaker shall preside during the order of business Final Action.

**Rule 2705. Consent Calendar.** Whenever a standing committee is of the opinion that a bill or concurrent resolution upon which it is reporting is of a noncontroversial nature, it shall so state in its committee report. Whenever a bill or concurrent resolution is so reported, it shall be placed upon the Consent Calendar. Each bill or concurrent resolution placed on the Consent Calendar shall remain thereon for at least two full legislative days before being considered under the order of business Final Action. Under the order of business Consent Calendar and prior to the call for the vote, any member may object to the bill or concurrent resolution as being controversial and thereupon it shall be removed from the Consent Calendar and shall be placed on General Orders. If no objection is made prior to the call for the vote on the bill or concurrent resolution, it shall be ordered to Final Action for vote before other bills and concurrent resolutions on Final Action.

**Rule 2706. Majority for Bill Passage.** As provided in section 13 of article 2 of the Constitution of Kansas, a majority of the members then elected (or appointed) and qualified, voting in the affirmative, shall be necessary for the passage of a bill.

**Rule 2707. Vote Required for Adoption of House Resolutions and Concurrent Resolutions.** (a) A majority of the members then elected (or appointed) and qualified voting in the affirmative shall be necessary to adopt House resolutions and concurrent resolutions, except as otherwise specified in these rules.

(b) Adoption of concurrent resolutions to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate shall require a 2/3 majority of the members then elected (or appointed) and qualified, voting in the affirmative.

**Rule 2708. Motion to Adopt Report of Conference Committee.** The member carrying the report of a conference committee shall move that such report be adopted prior to yielding the floor to any other member and a motion to adopt a report of a conference committee shall not be offered as a substitute motion.

#### ARTICLE 29. RESOLUTIONS

**Rule 2901. Resolving Clause; Form.** (a) Concurrent resolutions to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend

a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate shall have a resolving clause which reads, "Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected to the House of Representatives and two-thirds of the members elected to the Senate concurring therein."

(b) Concurrent resolutions for any purpose other than subsection (a) shall have a resolving clause which reads, "Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein."

(c) House resolutions shall have a resolving clause which reads, "Be it resolved by the House of Representatives of the State of Kansas."

**Rule 2902. House Resolutions; Introduction and Consideration.** (a) House resolutions, except for those changing rules of the House or approving or rejecting executive reorganization orders, shall lay over at least one legislative day before action is taken thereon and do not require a roll call vote unless required under subsection (e) of Rule 2507.

(b) House resolutions shall be considered under the order of business consideration of motions and House resolutions offered on a previous day, except House resolutions to (1) adopt, amend or revoke any rule of the House or (2) when the resolution has been referred to a standing committee and reported favorably. Resolutions under subparts (1) and (2) shall take a place on General Orders when favorably reported or when referred to the Committee of the Whole by the Speaker.

**Rule 2903. Resolutions; Limitations.** (a) Appropriations shall not be made by resolutions.

(b) Resolutions do not require approval of the Governor.

**Rule 2904. Applications for Introduction of certain Resolutions; Certificate of the House.** Notwithstanding any other rule of the House of Representatives to the contrary, no House resolution or concurrent resolution which congratulates, commemorates, commends, honors or is in memory of any individual, entity or event shall be introduced by a member or committee of the House of Representatives unless application for approval of the introduction of such resolution is first made to the Speaker, and the resolution is approved for introduction by the Speaker. The application shall be determined on the basis of content alone. The Speaker shall consider all such applications and shall determine whether a House resolution or House concurrent resolution should be approved for introduction, or whether a certificate of the House should be approved for issuance or whether no action should be taken on the application. The Speaker may consult with the Committee on Calendar and Printing in making determinations under this rule.

#### ARTICLE 33. MEMBER OFFICERS

**Rule 3301. Elected Member Officers.** The Speaker and the Speaker Pro Tem shall be members and shall be elected by the members of the House, except as otherwise provided in subsection (b) of Rule 3304.

**Rule 3302. Duties of the Speaker.** In addition to other powers and duties of the Speaker provided by the Rules of the House and by law, the Speaker shall have the powers and duties as follows:

(a) To preserve order and decorum;

(b) to take such actions and measures as necessary to secure the health and safety of the public, legislative staff and members to conduct legislative business by directing changes in House protocol and procedures from the provisions of House rules 101 through 107, 501 through 507, 1305, 1701, 1704, 1906, 2501 through 2509, 3501 through 3507 and 4305. A member may challenge any such action or measure made by the Speaker. Such challenge shall be made by a motion offered on the previous day and shall be upheld by an affirmative vote of a majority of the members elected or appointed;

(c) to decide all questions of order, subject to appeal to the House;

~~(e)~~(d) in the absence of the Speaker Pro Tem, to appoint any member to perform the duties of the chair for not more than two consecutive legislative days; and

~~(f)~~(e) to name a chairperson to preside when the House is in Committee of the Whole.

**Rule 3303. Speaker Pro Tem.** In the absence of the Speaker, the Speaker Pro Tem shall exercise the powers and duties of the Speaker.

**Rule 3304. Filling Certain Vacancies.** (a) When a vacancy occurs in the office of Speaker and the Legislature is adjourned to a date more than 60 days after the occurrence of the vacancy, the House of Representatives shall meet within 30 days and elect a member to fill the vacancy. The Speaker Pro Tem shall within 10 days of such occurrence issue a call for such meeting at a time not less than 10 days and not more than 20 days after the date of the call.

(b) When a vacancy occurs in the office of Speaker Pro Tem or Majority Leader of the House of Representatives, the Speaker shall appoint an acting Speaker Pro Tem or acting Majority Leader, to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original election or selection of such officer.

(c) When a vacancy occurs in the office of Minority Leader of the House of Representatives and the Legislature is adjourned to a date less than 30 days after the occurrence of the vacancy, the Assistant Minority Leader shall become the acting Minority Leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original selection of such officer. When a vacancy occurs in the office of the Minority Leader of the House and the Legislature is adjourned to a date 30 days or more after the occurrence of the vacancy, the Assistant Minority Leader shall within 10 days after such occurrence issue a call for a meeting of the members of the minority party at a time not less than 10 and not more than 20 days after the date of the call to be held in the state capitol for the purpose of filling the vacancy in the office of Minority Leader for the remainder of the term of office. From the time of the occurrence of such vacancy until the filling of the vacancy, the Assistant Minority Leader shall serve as acting Minority Leader and shall exercise the powers and duties of the Minority Leader.

When a vacancy occurs in the office of Assistant Minority Leader, the Minority Leader shall appoint an Assistant Minority Leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original selection of such officer.

Any person elected, appointed or designated to fill a vacancy under this rule shall exercise all of the duties and powers prescribed for the office so filled.

## ARTICLE 35. NONMEMBER OFFICERS

**Rule 3501. Chief Clerk; Appointment.** The chief clerk shall be appointed by the Speaker and shall serve under the Speaker's direction, control and supervision and at the pleasure of the Speaker. As used in the Rules of the House, "chief clerk" means the chief clerk appointed under this Rule 3501 or a person designated by the chief clerk to perform a function of the chief clerk.

**Rule 3502. Duties of the Chief Clerk.** The chief clerk shall supervise the keeping of and be responsible for a record of all proceedings of the House; number and present to the House all bills, resolutions, petitions and other papers which the House may require; deliver all messages from the House to the Senate; transmit bills and other documents to be printed and take a receipt therefor; transmit bills for engrossment and take receipt therefor; receive all bills, resolutions and other papers which are enrolled and give receipt therefor; and cause all enrolled bills, resolutions and other documents to be proofread and corrected prior to signing thereof by officers of the House.

**Rule 3503. Other Clerks.** The chief clerk shall appoint additional clerks and personnel to assist in performance of the duties of the chief clerk. Such additional clerks and personnel shall serve under the chief clerk's direction, control and supervision and at the pleasure of the chief clerk.

**Rule 3504. Document Care.** No bill, resolution, petition or other document shall be loaned or delivered to any person, except when delivered to an officer of the House, to the director of printing, the revisor of statutes or the Senate and only upon a written receipt therefor.

**Rule 3505. Sergeant at Arms; Appointment.** The sergeant at arms shall be appointed by the Speaker and shall serve under the Speaker's direction, control and supervision and at the pleasure of the Speaker.

**Rule 3506. Duties of the Sergeant at Arms.** The sergeant at arms shall preserve order within the chamber of the House and its lobby and galleries. The sergeant at arms may arrest and take into custody any person for disorderly conduct, subject at all times to the authority of the House or Speaker, or chairperson of the Committee of the Whole, and shall be responsible for the enforcement of Rules 501 through 506 and 2506(a). The sergeant at arms shall receive items or material for distribution among the members of the House. The sergeant at arms shall execute all orders of the House not otherwise provided for.

**Rule 3507. Assistant Sergeants at Arms.** The Speaker may appoint and remove assistant sergeants at arms to serve under the supervision of the sergeant at arms. All doorkeepers shall be assistant sergeants at arms.

## ARTICLE 37. AMENDMENT OF RULES OF THE HOUSE

**Rule 3701. Adopting, Amending or Revoking Rules of the House.** No rule of the House shall be adopted, amended or revoked except by a House resolution which has been adopted by an affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

**Rule 3702. Resolutions for Rule Changes.** (a) Notwithstanding any other rule of the House, the Speaker shall refer all resolutions which provide for the adoption, amendment or revocation of any House rule to the standing Committee on Rules and Journal before its consideration by the House.

(b) No resolution relating to the rules of the House which has been referred to the standing Committee on Rules and Journal shall be tabled or reported adversely by such

committee except by the unanimous vote of all members of such committee.

**Rule 3703. Printing.** Resolutions to which this Article 37 apply shall be printed and are subject to subsection (c) of Rule 2507.

**Rule 3704. Adoption of Resolutions.** Resolutions to which this Article 37 apply shall be subject to Rule 2902.

**Rule 3705. Special Sponsorship of Rule Change Resolutions.** Notwithstanding any provision of the rules of the House to the contrary, no referral to the standing Committee on Rules and Journal shall be required for the adoption of a resolution adopting, amending or revoking any one or more rules of the House at the commencement of a legislative session, and adoption of any such resolution shall require only the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified, subject to the following conditions: (a) The resolution is sponsored by the Speaker or the standing Committee on Rules and Journal and (b) either (1) a copy thereof is mailed to each member by deposit in the United States mails not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence or (2) in lieu of mailing, copies of the resolution are made available to members on the first day of the legislative session and consideration under Rule 3704 occurs on the second legislative day.

#### ARTICLE 39. FORM AND PRINTING OF BILLS AND RESOLUTIONS

**Rule 3901. Bills Amending Existing Statutes.** Any bill intended to amend or repeal any section or sections of the Kansas Statutes Annotated shall recite in its title the section or sections to be amended or repealed, and if to amend or repeal any section of a session law not in the Kansas Statutes Annotated, the section and chapter of the session law affected.

**Rule 3902. Bills, Copies.** Each bill introduced shall consist of an original and copies. All bills shall be printed with as many copies as the Speaker specifies. Except for prefiled bills, printing shall be ordered subsequent to introduction.

**Rule 3903. Showing Committee Amendments.** All bills and resolutions reported by a committee with recommendation for amendments and to be passed as amended shall be reprinted.

**Rule 3904. Substitute Bills and Substitute Concurrent Resolutions.** (a) When a substitute bill is recommended by a committee report, and when an amendment from the floor is adopted replacing the bill under consideration with a substitute bill, the substitute bill shall be printed in the manner provided for bills introduced, and the bill number designation shall be substantially as follows:

(1) In the case of bills substituted for House bills, "Substitute for House Bill No. \_\_\_\_\_," and the blank shall be filled with the number of the bill for which substitution is made or recommended.

(2) In the case of bills substituted for Senate bills, "House Substitute for Senate Bill No. \_\_\_\_\_," and the blank shall be filled with the number of the bill for which substitution is made or recommended.

(b) When a substitute concurrent resolution is recommended by a committee report, and when an amendment from the floor is adopted replacing the concurrent resolution under consideration with a substitute concurrent resolution, the substitute concurrent resolution shall be printed in the manner provided for concurrent resolutions introduced, and the concurrent resolution number designation shall be substantially as follows:

(1) In the case of concurrent resolutions substituted for House concurrent

resolutions, "Substitute for House Concurrent Resolution No. \_\_\_\_\_," and the blank shall be filled with the number of the concurrent resolution for which substitution is made or recommended.

(2) In the case of concurrent resolutions substituted for Senate concurrent resolutions, "House Substitute for Senate Concurrent Resolution No. \_\_\_\_\_," and the blank shall be filled with the number of the concurrent resolution for which substitution is made or recommended.

**Rule 3905. Appropriation Bills.** All bills making an appropriation shall be printed and distributed, or shall be made available to members electronically online and all members shall be notified by email, at least 24 hours before such bills are considered by the House.

**Rule 3906. Committee of the Whole Amendments.** If a bill or concurrent resolution is amended by the Committee of the Whole: (a) The bill shall be reprinted showing the amendments; and

(b) when such amendment strikes all sections in the bill subsequent to the enacting clause that contain new or amendatory language and inserts sections that contain new or amendatory language, the daily Journal of the House of Representatives shall contain a notation specifying: (1) The member that offered the amendment or amendments; (2) the date the amendment or amendments were recommended; and (3) the bill number of the source bill or bills, if any, that included the inserted sections added to the underlying bill pursuant to the amendment or amendments.

**Rule 3907. Concurrent Resolutions, When Printed.** (a) Concurrent resolutions to amend the Constitution of Kansas, to call a constitutional convention to amend the Kansas constitution, to ratify amendments to the Constitution of the United States, to apply for a United States constitutional convention or to amend the joint rules of the House and Senate shall be printed as provided for bills under Rule 3902.

(b) Other concurrent resolutions shall be printed as provided for bills under Rule 3902, unless otherwise directed by the Speaker.

**Rule 3908. Embellished Printing of Certain Resolutions.** Unless otherwise directed by the Speaker, not more than five copies of any enrolled House resolution and any enrolled House concurrent resolution may be printed on embellished parchment and shall be distributed as directed by the resolution. Additional copies of any resolution may be printed on embellished parchment and mailed at the expense of the member requesting such additional copies.

**Rule 3909. House Resolutions.** Subject to Rule 3908, House resolutions shall not be printed, except resolutions to amend rules of the House, to approve or disapprove executive reorganization orders or if the resolution has been referred to a committee, in which cases the resolution shall be printed.

#### ARTICLE 41. JOURNAL AND CALENDAR

**Rule 4101. Journal; Preparation.** The daily Journal of the House of Representatives shall be prepared by the chief clerk in accordance with the Rules of the House.

**Rule 4102. Entering in Journal.** When a bill, order, motion or resolution is entered in the Journal, the names of the members or legislative committee introducing or moving the same shall be entered.

**Rule 4103. Resolutions in Journal.** All House resolutions and all House concurrent resolutions shall be printed in the Journal when introduced.

**Rule 4104. Messages from the Governor in Journal.** All messages from the Governor and all executive reorganization orders shall be printed in the Journal.

**Rule 4105. Calendar; Preparation.** The House Calendar shall be prepared for each legislative day by the chief clerk in accordance with the Rules of the House.

**Rule 4106. Status of Bills and Resolutions Shown in Calendar.** The status of all House and Senate bills and concurrent resolutions and House resolutions shall be shown by number in the Calendar for each legislative day.

**Rule 4107. Copies of Journals and Calendars.** Each member shall be furnished with a printed copy of the daily Journal and the daily Calendar.

**Rule 4108. Notations Related to Certain Committee of the Whole Amendments in Journal.** When a bill is amended by the Committee of the Whole as described in Rule 3906(b), the notation provided in Rule 3906(b) shall be entered in the Journal.

#### ARTICLE 43. MISCELLANEOUS

**Rule 4301. Employees; Employment.** Such employees as are necessary to enable the officers, members and committees to properly perform their duties and transact the business of the House with efficiency and economy shall be recruited under the supervision of the director of legislative administrative services subject to approval of the Speaker. The director of legislative administrative services shall keep a roster of the employees of the House and an account of the hours of service performed. No employee shall lobby for or against any measure pending in the Legislature and any employee violating this rule shall be discharged immediately.

**Rule 4302. Special Order.** Any matter may be made the special order for any particular time or day, but all requests and motions for special orders shall be referred to the Committee on Rules and Journal, which may designate particular times and days for such special orders and report to the House for its approval. Upon adoption of such report by 2/3 of the members present, the matters designated shall stand as special orders for the times stated, but no special order shall be made more than seven days in advance. This Rule 4302 shall not apply to executive reorganization orders or resolutions relating thereto.

**Rule 4303. Petitions; Presentation.** Petitions and memorials addressed to the House shall be presented by a member.

**Rule 4304. Petitions; Endorse Name.** Each member presenting a petition or memorial shall endorse it with their name or the name of the committee, and a brief statement of its subject.

**Rule 4305. Open Meetings.** The open meeting law (K.S.A. 75-4317 et seq., and amendments thereto) shall apply to meetings of the House of Representatives and all of its standing committees, select committees, special committees and subcommittees of any of such committees. Caucuses of the House majority party may be closed as determined by the Majority Leader. Caucuses of the House minority party may be closed as determined by the Minority Leader.

#### ARTICLE 45. EXECUTIVE REORGANIZATION ORDERS

**Rule 4501. Referral of Executive Reorganization Orders.** Whenever an executive reorganization order is received from the Governor, it shall be referred to an appropriate committee by the Speaker.

**Rule 4502. Committee Report on Executive Reorganization Orders.** If the committee to which an executive reorganization order is referred recommends that the executive reorganization order be disapproved, the committee, not later than 15

calendar days after referral of the executive reorganization order to the committee, shall introduce a resolution for disapproval of the executive reorganization order. Such resolution shall be accompanied by the report of the committee recommending that the resolution be adopted.

**Rule 4503. Return in Event of Committee's Failure to Report.** If a committee fails to report upon an executive reorganization order within 15 calendar days after the executive reorganization order is referred to the committee, the committee shall be deemed to have recommended approval of the executive reorganization order.

**Rule 4504. Special Order of Business for ERO.** When a resolution for disapproval of an executive reorganization order is introduced and accompanied by the committee's report recommending adoption of the resolution, action on the resolution shall be made the special order of business on a particular day and hour specified by the Speaker but not later than the last day the executive reorganization order may be disapproved under section 6 of article 1 of the Constitution of Kansas. A resolution for disapproval of an executive reorganization order shall be considered under the order of business Final Action and shall be subject to debate and final action by the House.

**Rule 4505. Nonapplication to Bills.** This Article 45 shall not apply to bills amending or otherwise affecting executive reorganization orders.

**Rule 4506. Nonaction When Moot.** The House shall act on any resolution for disapproval of an executive reorganization order unless at the time set for such action the Senate has already rejected such executive reorganization order.

#### ARTICLE 47. IMPEACHMENT

**Rule 4701. Impeachment; Powers.** Nothing in the rules of the House or in any statute shall be deemed to impair or limit the powers of the House of Representatives with respect to impeachment.

**Rule 4702. Same; Select Committee.** The Speaker may appoint a select committee comprised only of members of the House of Representatives, and appoint its chairperson, to inquire into any impeachment matter. Any such committee may be appointed at any time and shall meet at the call of its chairperson or at the direction of the House, with the numbers of such appointees being minority party members and majority party members in the same proportion as for the entire House membership.

**Rule 4703. Same; Reference.** The Speaker may refer any impeachment inquiry or other impeachment matter to any standing committee or any select committee appointed under Rule 4702, and any committee to which such a referral has been made shall meet on the call of its chairperson.

**Rule 4704. Same; Report.** Whenever a report is made by a committee to which an impeachment inquiry or other impeachment matter has been referred, the report thereon shall be made to the full House of Representatives, except that any such report may be submitted preliminarily to the Speaker.

**Rule 4705. Same; Call into Session.** The Speaker or a majority of the members then elected (or appointed) and qualified of the House of Representatives may call the House of Representatives into session at any time to consider any impeachment matter.

**Rule 4706. Same; Procedure.** The Speaker and any officer or committee acting under authority of this rule may follow any statutory procedure to the extent the same is not in conflict with the provisions of this rule, but nothing in this rule nor in any statute shall be deemed to constitute a waiver of any inherent powers of the House of Representatives.

## ARTICLE 49. REPRIMAND, CENSURE OR EXPULSION OF MEMBERS

**Rule 4901. Complaint.** When any member of the House of Representatives desires to lodge a complaint against any other member of the House of Representatives, requesting that the member be reprimanded, censured or expelled for any misconduct, the complaining member shall file a written statement of such complaint with the chief clerk, and such complaint shall bear the signature of the complaining member.

**Rule 4902. Select Committee; Consideration of Complaint.** (a) Whenever any complaint has been filed under Rule 4901, the Speaker shall appoint a select committee of six members for consideration thereof except that if the complaint is filed against the Speaker, the Speaker Pro Tem shall appoint the select committee of six members. A select committee created under this subsection (a) shall be comprised equally of majority and minority party members.

(b) The select committee may dismiss the complaint after the inquiry or may set the matter for hearing. Reasonable notice and an opportunity to appear shall be afforded the member complained of at any hearing held hereunder. Any select committee meeting under authority of this section shall constitute an investigating committee under article 10 of chapter 46 of the Kansas Statutes Annotated and shall be authorized to meet and exercise compulsory process without any further authorization of any kind, subject, however, to limitations and conditions prescribed in article 10 of chapter 46 of the Kansas Statutes Annotated.

(c) Upon completing its hearing the deliberations thereon, the select committee may dismiss the complaint or may make recommendations to the full House of Representatives for reprimand, censure or expulsion.

**Rule 4903. Action by House.** Upon receiving any report under Rule 4902, the House of Representatives may, without further hearing or investigation, reprimand, censure or expel the member complained of. Reprimand, censure or expulsion of a member shall require a  $\frac{2}{3}$  majority vote of those members elected (or appointed) and qualified of the House of Representatives.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

HOUSE RESOLUTION No. **HR 6005**—

By Representatives Highberger and Clayton

A RESOLUTION relating to the rules of the House of Representatives for 2021-2022; amending Rule 1102.

*Be it resolved by the House of Representatives of the State of Kansas:* That Rule 1102 shall be amended to read as follows:

**Rule 1102. Committee Appointments.** (a) The Speaker shall appoint the members of the standing committees. The Speaker may remove or replace any such committee member at any time.

(b) The members of a standing committee shall elect the chairperson by an affirmative vote of a majority of the members present. The Speaker shall appoint the chairperson and vice chairperson of each standing committee. ~~The Speaker may remove or replace any such chairperson or vice chairperson at any time.~~

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS****HOUSE RESOLUTION No. HR 6006—**

By Representatives Highberger and Clayton

A RESOLUTION relating to the rules of the House of Representatives for 2019-2020; amending Rules 101, 701, 1302, 1304, 1306, 1307, 3903 and 3906; and revoking Rule 2110.

*Be it resolved by the House of Representatives of the State of Kansas:* That the following Rules be amended to read as follows:

**Rule 101. Time of Meeting.** The hour of meeting on the first day of each regular session shall be at 2:00 p.m., and on other days, shall be the hour set at adjournment on the previous legislative day except that if no hour of meeting is set at adjournment on the previous legislative day, the hour of meeting shall be 11:00 a.m. No hour of meeting on any day of the session shall be set prior to 8:00 a.m., and no meeting on any day of the session may continue after 12 midnight, except when a question that was taken up prior to 11:00 p.m. is under consideration, the meeting may continue until the question is disposed. No meeting may take place between the hours of 12 midnight and 8:00 a.m. on any day of the session.

**Rule 701. Introduction of House Bills and Resolutions.** Every House bill or resolution intended to be introduced shall be delivered to the chief clerk. Such bill or resolution shall contain the name of the legislator or the committee that is the sponsor of the legislation and the person, state or local agency, organization or entity that requested the bill for introduction by the legislator or committee. The delivery shall be by a legislator who is a sponsor of the legislation or by a legislator who is the chairperson or vice chairperson of a legislative committee that has authorized the introduction, or by a legislative staff person or another member of the House authorized by such legislator. In lieu of introduction as provided by this rule, introduction may be as provided by law for prefiled bills and resolutions.

**Rule 1302. Notice and Agenda for Committee Meetings.** The chairperson shall provide notice of meetings and an agenda or agenda information to committee members, the chief clerk and the public. The chairperson shall include on the agenda and hold a hearing on any bill for which a motion has been approved by a two-thirds majority of the committee to hold such hearing. The chief clerk shall include in the calendar such information as is practical.

**Rule 1304. Introduction of Committee Bills and Resolutions.** A committee may introduce bills and resolutions while the Legislature is in session respecting any matters referred to it. Requests for introduction of bills made before a committee shall be made by a legislator or a person, state or local agency, organization or entity. A legislator whose purpose is to request introduction of a bill on behalf of a person, state or local agency, organization or entity shall state such purpose when making the request. All requests for introduction, when approved by the committee, shall be recorded in the minutes. Unless approved by the Speaker, a standing committee may introduce bills and resolutions only within the general subject area assigned to the committee. No standing committee shall originate a bill which is substantially identical with any bill which has been referred to another standing committee, and which is under consideration by such committee.

**Rule 1306. Voting in Committees.** (a) The vote on any action taken by a committee shall be recorded in the committee minutes. Any vote to recommend amendments to a bill that strike all of the material in the bill subsequent to the enacting clause and insert new material shall be a roll-call vote and recorded in the committee minutes.

(b) All final actions by a committee shall be taken at a called meeting while the Legislature is in session. Final action shall be taken on any bill for which a motion has been approved by a two-thirds vote of the members of the committee to consider such action on the bill. The final action taken along with each individual member's vote shall be recorded in the committee minutes. An individual member's vote may be recorded at the member's request.

(b)(c) The committee chairperson may vote but shall not be required to vote unless the committee is equally divided. If the chairperson's vote makes the division equal, the question shall be lost.

(e)(d) An action formally taken by a committee cannot be altered in the committee except by reconsideration and further formal action of the committee.

(4)(e) A motion to take from the table may be adopted by the affirmative vote of a majority of the members present at any called meeting of the committee.

**Rule 1307. Procedure in General.** Committee procedure shall be informal, but where any questions arise thereon, the rules or practices of the House are applicable except that the right of a member to speak to any question shall not be subject to the limitations prescribed by Rule 1704. All motions in a committee shall require a second. Adjournment of a committee requires a motion to adjourn, a second and the affirmative vote of a majority of the members present.

**Rule 3903. Showing Committee Amendments.** (a) All bills and resolutions reported by a committee with recommendation for amendments and to be passed as amended shall be reprinted.

(b) When a committee recommends amendments to a bill that strike all of the material in the bill subsequent to the enacting clause and insert new material, the reprinted bill shall contain a notation specifying: (1) The committee that recommended the amendment or amendments; (2) the date the amendment or amendments were recommended; and (3) the bill number of the source bill or bills, if any, that included the inserted new material to the underlying bill pursuant to the amendment or amendments. Additionally, the source bill or bills shall be reprinted with a notation specifying the bill to which the material from the source bill was inserted pursuant to an amendment as described in this subsection.

**Rule 3906. Committee of the Whole Amendments.** (a) If a bill or concurrent resolution is amended by the Committee of the Whole, it shall be reprinted showing the amendments.

(b) When the Committee of the Whole recommends amendments to a bill that strike all of the material in the bill subsequent to the enacting clause and insert new material, such reprinted bill shall contain a notation specifying: (1) The member that offered the amendment or amendments; (2) the date the amendment or amendments were recommended; and (3) the bill number of the source bill or bills, if any, that included the inserted new material to the underlying bill pursuant to the amendment or amendments. Additionally, the source bill or bills shall be reprinted with a notation specifying the bill to which the material from the source bill was inserted pursuant to an

amendment as described in this subsection.

*Be it further resolved:* That Rule 2110 be revoked.

## **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following prefiled bills and concurrent resolutions were introduced and read by title:

**HB 2001**, AN ACT concerning crimes, punishment and criminal procedure; relating to sex offenses; creating the crime of sexual extortion; requiring registration of offenders; amending K.S.A. 2020 Supp. 22-4902 and 22-4906 and repealing the existing sections, by Representative Owens.

**HB 2002**, AN ACT concerning elections; enacting the interstate compact on the agreement among the states to elect the president by national popular vote; amending K.S.A. 25-802 and 25-804 and repealing the existing sections, by Representative Highberger.

**HB 2003**, AN ACT concerning property taxation; relating to county treasurers; providing for the ability to establish payment plans for the payment of delinquent or nondelinquent taxes; amending K.S.A. 79-2024 and repealing the existing section, by Representative Kelly.

**HB 2004**, AN ACT concerning the adult care home licensure act; relating to transfer or discharge of residents from an adult residential care facility; creating a right to appeal an involuntary transfer or discharge, by Representative Highland.

**HB 2005**, AN ACT concerning the boiler safety act; relating to exceptions to the applicability of the act; specifications for certain hot water supply boilers; amending K.S.A. 2020 Supp. 44-915 and repealing the existing section, by Representative Highland.

**HB 2006**, AN ACT concerning legal public holidays; designating Indigenous Peoples Day; amending K.S.A. 2020 Supp. 35-107 and 35-205 and repealing the existing sections, by Representatives Highberger, Haswood and Victors.

**HB 2007**, AN ACT concerning motor carriers; relating to the state corporation commission's regulation of motor carriers; updating and eliminating certain procedures for certificates of convenience and necessity and certificates of public service; revising certain laws to conform to federal regulation; amending K.S.A. 66-1,105, 66-1,108, 66-1,110, 66-1,111, 66-1,112, 66-1,112g, 66-1,112j, 66-1,114, 66-1,114b, 66-1,116, 66-1,119 and 66-1,141 and repealing the existing sections; also repealing K.S.A. 66-1,118, 66-1,119a, 66-1,140 and 66-1,142d, by Representative Proehl.

**HB 2008**, AN ACT concerning the attorney general; providing for coordination of training on missing and murdered indigenous people for law enforcement agencies, by Representatives Victors and Haswood.

**HB 2009**, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal sodomy; members of the same sex; removing criminal penalty; amending K.S.A. 2020 Supp. 21-5504 and repealing the existing section, by Representative Carmichael.

**HB 2010**, AN ACT concerning traffic regulations; relating to operating a vehicle while fatigued; creating a traffic infraction thereof; amending K.S.A. 2020 Supp. 8-2118 and repealing the existing section; also repealing K.S.A. 2020 Supp. 8-2118c, by Representative Carmichael.

**HB 2011**, AN ACT concerning elections; relating to prosecution of election crimes;

duties of the secretary of state; amending K.S.A. 2020 Supp. 25-2435 and repealing the existing section, by Representative Carmichael.

**HB 2012**, AN ACT concerning elections; relating to voting; penalties for voting crimes; elements of voting crimes; amending K.S.A. 2020 Supp. 25-1128, 25-2409, 25-2416, 25-2423, 25-2431 and 25-2507 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 25-2434, by Representative Carmichael.

**HB 2013**, AN ACT concerning courts; relating to the supreme court nominating commission and judicial district nominating commissions; selection of chairperson and members; attorney licensure and information; amending K.S.A. 2020 Supp. 7-127, 20-122, 20-123, 20-130, 20-2904 and 20-2907 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 20-170, 20-171 and 20-2917, by Representative Carmichael.

**HB 2014**, AN ACT concerning motor vehicles; relating to the registration and regulation of military surplus vehicles; amending K.S.A. 8-194, 8-195 and 8-196 and K.S.A. 2020 Supp. 8-1486 and repealing the existing sections, by Representative K. Williams.

**HB 2015**, AN ACT concerning motor vehicles; relating to distinctive license plates; providing distinctive license plates for current and veteran members of the United States army, navy, marine corps, air force and coast guard; amending K.S.A. 2020 Supp. 8-1,141 and 8-1,147 and repealing the existing sections, by Representative K. Williams.

**HB 2016**, AN ACT concerning workers compensation; relating to the prevailing factor standard of causation; preexisting conditions; idopathic causation of injury; amending K.S.A. 2020 Supp. 44-508 and 44-510k and repealing the existing sections, by Representative Carmichael.

**HB 2017**, AN ACT concerning workers compensation; relating to disallowance of compensation for injuries resulting from nonwork-related fighting or horseplay; amending K.S.A. 2020 Supp. 44-501 and repealing the existing section, by Representative Carmichael.

**HB 2018**, AN ACT concerning labor and employment; relating to increasing the minimum wage; amending K.S.A. 2020 Supp. 44-1203 and repealing the existing section, by Representative Coleman.

**HB 2019**, AN ACT concerning roads and highways; designating bridges on United States highway 54 as the Jack Taylor memorial bridge and the Max Zimmerman memorial bridge, by Representative Francis.

**HB 2020**, AN ACT concerning veterans; relating to the Kansas commission on veterans affairs office; requiring the director to submit an initial application for a state veterans home construction grant to the United States department of veterans affairs, by Representatives Proctor, Croft, Ellis, French, T. Johnson and Neelly.

**HB 2021**, AN ACT concerning the issuance of certain bonds; relating to the construction of a state veterans home; providing for the powers, duties and functions of the Kansas development finance authority and the department of administration, by Representatives Proctor, Croft, Ellis, French, T. Johnson and Neelly.

**HB 2022**, AN ACT concerning oil and gas wells; relating to the state corporation commission; investigation and determination of responsibility for abandoned wells; plugging abandoned wells; abolishing the well plugging assurance fund and transferring all assets and liabilities to the abandoned oil and gas well fund; amending K.S.A. 55-

150, 55-161, 55-168, 55-178, 55-179, 55-180, 55-192 and 75-3036 and K.S.A. 2020 Supp. 55-155 and repealing the existing sections; also repealing K.S.A. 55-163, 55-166 and 55-167 and K.S.A. 2020 Supp. 55-193, by Representative Waymaster.

**HB 2023**, AN ACT concerning property taxation; relating to valuation of real property; land devoted to agricultural use; amending K.S.A. 79-1476 and repealing the existing section, by Representative Highland.

**HB 2024**, AN ACT concerning adult care homes; relating to civil liability for COVID-19 claims; providing immunity therefrom; amending K.S.A. 2020 Supp. 60-5506 and repealing the existing section, by Representatives Owens, Croft, Lynn, Thomas, Waggoner and Wasinger.

**HB 2025**, AN ACT concerning privacy rights; relating to real property; imposing restrictions on access and surveillance by certain governmental officials and agencies, by Representative Corbet.

**HB 2026**, AN ACT concerning crimes, punishment and criminal procedure; relating to diversion agreements; creating a certified drug abuse treatment program for people on diversion; providing for supervision by court services or community corrections; amending K.S.A. 22-2907, 75-5291 and 75-52,144 and K.S.A. 2020 Supp. 22-2909 and repealing the existing sections, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2027**, AN ACT concerning crimes, punishment and criminal procedure; relating to unlawfully tampering with electronic monitoring equipment; modifying criminal penalties; amending K.S.A. 2020 Supp. 21-6322 and repealing the existing section, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2028**, AN ACT concerning crimes, punishment and criminal procedure; relating to property crimes; loss values; amending K.S.A. 2020 Supp. 21-5802, 21-5813, 21-5821, 21-5825, 21-5828, 21-5830, 21-5927, 21-6002, 21-6004, 21-6005 and 21-6205 and repealing the existing sections, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2029**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; domestic battery; counting offenses with domestic violence designation as prior convictions; amending K.S.A. 2020 Supp. 21-5414 and repealing the existing section, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2030**, AN ACT concerning crimes, punishment and criminal procedure; relating to terminal medical release; criteria for release; permitting release earlier in terminal diagnosis; amending K.S.A. 2020 Supp. 22-3729 and repealing the existing section, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2031**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; increasing good time and program credits for certain offenders; eliminating liability protection for wrongful act or omission in making calculations; amending K.S.A. 2020 Supp. 21-6821 and repealing the existing section, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2032**, AN ACT concerning the department of wildlife, parks and recreation; relating to enforcement; unlawful methods of taking wildlife; amending K.S.A. 2020 Supp. 32-1003 and 32-1032 and repealing the existing sections, by Representative Carmichael.

**HB 2033**, AN ACT concerning labor and employment; increasing the minimum

wage; amending K.S.A. 2020 Supp. 44-1203 and repealing the existing section, by Representatives Xu, Haswood, Parker, Vaughn and Woodard.

**HB 2034**, AN ACT concerning townships; relating to the purchase of property and construction of buildings; amending K.S.A. 80-104 and repealing the existing section, by Representative Amyx.

**HB 2035**, AN ACT creating the Dwayne Peaslee technical training center district act, by Representative Amyx.

**HB 2036**, AN ACT concerning elections; authorizing Sedgwick county voters on election day to vote at any polling place; amending K.S.A. 2020 Supp. 25-2701 and repealing the existing section, by Representative Carmichael.

**HB 2037**, AN ACT concerning education; establishing Erin's law; relating to teacher training and student instruction; identifying signs of child sexual abuse, by Representative Coleman.

**HB 2038**, AN ACT concerning teachers; creating the educator protection act; relating to excess professional liability insurance coverage for teachers; amending K.S.A. 75-4101 and repealing the existing section, by Representative Huebert.

**HB 2039**, AN ACT concerning education; relating to civics instruction; requiring students to pass a civics examination for high school graduation; amending K.S.A. 72-3217 and repealing the existing section, by Representative Huebert.

**HB 2040**, AN ACT concerning workers compensation; relating to disqualification for benefits due to use of drugs; changing from a conclusive to a rebuttable presumption of impairment based on drug test levels; removing the presumption for marijuana; changing the standard of proof for overcoming the presumption of contribution to injury based on impairment; amending K.S.A. 2020 Supp. 44-501 and repealing the existing section, by Representative Carmichael.

**HB 2041**, AN ACT concerning workers compensation; relating to benefit reductions due to retirement benefits; amending K.S.A. 2020 Supp. 44-501 and repealing the existing section, by Representative Carmichael.

**HB 2042**, AN ACT concerning retirement and pensions; enacting the Kansas thrift savings plan act; providing terms, conditions and requirements related thereto; relating to plan document, membership, benefits, contributions, distributions and prospective plan changes by the legislature, by Representative Highland.

**HB 2043**, AN ACT concerning members of the legislature; relating to retirement and pensions; ending membership in the Kansas public employees retirement system; establishing annual salary; amending K.S.A. 46-137e, 74-4902, 74-4991 and 75-3212 and K.S.A. 2020 Supp. 46-137a and 46-137b and repealing the existing sections, by Representative Highland.

**HB 2044**, AN ACT concerning education; relating to retirement and pensions; Kansas public employees retirement system; increasing certain employee contributions; making and concerning appropriations for the fiscal year ending June 30, 2022, for the department of education; amending K.S.A. 74-4919, 74-49,210 and 74-49,305 and repealing the existing sections, by Representative Highland.

**HB 2045**, AN ACT concerning economic development; relating to the Kansas angel investor tax credit act; qualified securities; tax credit limitations and amounts; investor requirements; qualified Kansas business designation requirements; bioscience businesses; program expiration date; amending K.S.A. 74-8132, 74-8133 and 74-8136 and repealing the existing sections, by Representative Owens.

**HB 2046**, AN ACT concerning home and community-based services; relating to the intellectual or developmental disability waiver; increasing provider reimbursement rates; making and concerning appropriations for the fiscal years ending June 30, 2022, June 30, 2023, and June 30, 2024, for the Kansas department for aging and disability services; directing the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight to study the waiting list for such services, by None.

**HB 2047**, AN ACT repealing K.S.A. 2020 Supp. 60-5322; concerning the adoption protection act, by Representatives Ruiz, S. and Woodard.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following prefiled concurrent resolution was introduced and read by title:

HOUSE CONCURRENT RESOLUTION No. **HCR 5001**—

by Representatives Ryckman, Hawkins and Sawyer

A CONCURRENT RESOLUTION adopting joint rules for the Senate and House of Representatives for the 2021-2022 biennium.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the following joint rules shall be the joint rules of the Senate and House of Representatives for the 2021-2022 biennium.

### JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES 2021-2022

**Joint rule 1. Joint rules; application and date of expiration; adoption, amendment, suspension and revocation.** (a) *Joint rules; expiration, adoption, amendment, suspension and revocation; vote required.* Joint rules are adopted under the authority of section 8 of article 2 of the Constitution of the State of Kansas and shall govern matters made subject thereto except when otherwise specifically provided by joint rule. Joint rules shall expire at the conclusion of the terms of representatives. Joint rules shall be adopted, amended, suspended and revoked by concurrent resolution of the two houses of the legislature. Concurrent resolutions adopting joint rules shall receive the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house.

(b) *Amendment, suspension or revocation of joint rules; previous notice; vote required.* After one day's previous notice, joint rules may be amended, suspended or revoked by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house. Upon the filing of such notice in either house, a message shall be sent to the other house advising of the filing of such notice and the reading of the message shall constitute notice to the members of such house. If such previous notice is not given, the affirmative vote of  $\frac{2}{3}$  of the members then elected (or appointed) and qualified in each house shall be required for the amendment, suspension or revocation of a joint rule.

(c) *Amendment, suspension or revocation of joint rules at commencement of legislative session; vote required; conditions.* Notwithstanding any provision of this rule to the contrary, no notice shall be required for the adoption of a concurrent resolution amending, suspending or revoking any one or more joint rules at the commencement of a legislative session, and adoption of any such concurrent resolution shall require only

the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house, subject to the following conditions: (1) The concurrent resolution is sponsored by the speaker or the president; and (2) either: (a) A copy thereof is mailed to each member of the legislature by deposit in the United States mails not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence; or (b) in lieu of mailing, copies of the concurrent resolution are made available to members on the first day of the legislative session and final action is taken on a subsequent legislative day.

**Joint rule 2. Joint sessions.** (a) *Joint session called by concurrent resolution; vote required; time, place and subject matter.* A joint session of the senate and house of representatives may be called by concurrent resolution adopted by the affirmative vote of not less than a majority of the members elected (or appointed) and qualified in each house of the legislature or as may otherwise be prescribed by law. Any such resolution shall fix the time and place of the joint session, and the subject matter to be considered at the joint session. Joint sessions shall consider only such matters as are prescribed by law or by the concurrent resolution calling such joint session.

(b) *Presiding officer at joint sessions; record of joint session; rules applicable.* The speaker of the house of representatives shall preside at all joint sessions of the senate and house of representatives, and the clerk of the house of representatives shall keep a record of the proceedings thereof and shall enter the record of each such session in the journal of the house of representatives. The rules of the house of representatives and the joint rules of the two houses, insofar as the same may be applicable shall be the rules for joint sessions of the two houses.

(c) *Votes in joint session; taking; requirements.* All votes in a joint session shall be taken by yeas and nays, and in taking the same it shall be the duty of the secretary of the senate first to call the names of the members of the senate, and after which the clerk of the house of representatives shall in like manner call the names of the members of the house. Each member of the senate and the house of representatives present shall be required to vote on all matters considered in joint session, unless excused by a vote of a majority of the members of both houses present.

**Joint rule 3. Conference committee procedure.** (a) *Action by house of origin of bill or concurrent resolution amended by other house.* When a bill or concurrent resolution is returned to the house of origin with amendments by the other house, the house of origin may: (1) Concur in such amendments; (2) refuse to concur in such amendments; or (3) refuse to concur in such amendments and request a conference on the bill or concurrent resolution.

(b) *Concurrence by house of origin; concurrence prior to taking action on conference committee report by other house; final action; effect of failure of motion to concur.* The house of origin of any bill or concurrent resolution may concur in any amendments made by the other house, except that if the bill or concurrent resolution has been referred to a conference committee such action may only be taken prior to the taking of final action upon the conference committee report upon such bill or concurrent resolution by the other house. A vote in the house of origin of any bill or concurrent resolution on a motion to concur in amendments to such bill or concurrent resolution by the other house shall be considered action on the final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion to concur is upon amendments to a bill or concurrent resolution for which

a conference committee has been appointed and action has not been taken upon the report of such committee by the other house and such motion fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and the motion to concur may be renewed but not on the same legislative day. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has not been appointed and such motion fails, the bill or concurrent resolution shall be deemed to be killed.

(c) *Motion to nonconcur; when considered final action; effect of adoption of motion.* A vote in the house of origin of any bill or concurrent resolution on a motion to nonconcur or to refuse to concur in amendments to such bill or concurrent resolution by the other house which is not coupled with a request for the appointment of a conference committee shall be considered action on final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal, and the bill or concurrent resolution shall be deemed killed on the adoption thereof.

(d) *House of origin refusal to concur or nonconcur; request for conference; procedure.* When a bill or concurrent resolution is returned by either house to the house of origin with amendments, and the house of origin refuses to concur or to nonconcur therein, a conference may be requested by a majority vote of the members present and voting. Such request shall be transmitted to the other house by message which shall include the names of the conferees on the part of the requesting house. Upon receipt of any such message, the receiving house may, in like manner, approve such conference, and shall thereupon notify the requesting house by message stating the names of its conferees.

(e) *Membership; appointment; chairperson; house of origin of substitute or materially changed bill or concurrent resolution; meetings of conference committee.* Each conference committee shall consist of three members of the senate and three members of the house of representatives, unless otherwise fixed by agreement of the president of the senate and speaker of the house. Senate members shall be appointed by the president of the senate and house members shall be appointed by the speaker of the house of representatives. The president or the speaker may replace any conferee previously appointed by such person. Not fewer than one member appointed from each house shall be a member of the minority political party of such house except when such representation for such house is waived by the minority leader of such house. In all cases, the first-named member of the house of origin of the bill or concurrent resolution assigned to the committee shall be chairperson of the conference committee. The house of origin of a substitute bill or substitute concurrent resolution shall be the house in which the bill or concurrent resolution in its original form was introduced. The chairperson of a conference committee on a bill or concurrent resolution the subject matter of which has been ruled to be materially changed shall be a member of the house which amended the bill or concurrent resolution to materially change the subject matter. Each conference committee shall meet on the call of its chairperson. All meetings of conference committees shall be open to the public and no meeting shall be adjourned to another time or place in order to subvert such policy.

(f) *Conference committee reports; matters which may be included; report not subject to amendment; house which acts first on report; copies of reports; reports considered under any order of business.* Only subject matters which are or have been included in the bill or concurrent resolution in conference or in bills or concurrent

resolutions which have been passed or adopted in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution except in any appropriations bill there may be included a proviso relating to any such item of appropriation. Subject to any limitations imposed under the constitution of the state of Kansas, no more than a total of four additional bills or concurrent resolutions or parts of bills or concurrent resolutions in conference or bills or concurrent resolutions or parts of bills or concurrent resolutions which have passed in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution, except that reports of conference committees on any taxation bill are not subject to the limitation contained in this provision. A conference committee report shall not be subject to amendment. The original signed conference committee report shall be submitted to and acted upon first by the house other than the house of origin of the bill or concurrent resolution. Except when a conference committee report is an agree to disagree coupled with a request that a new conference committee be appointed or is a recommendation to accede to or recede from all amendments of the second house, electronic and paper copies of the report shall be made available to all members of the house considering the report not later than 30 minutes before the time of its consideration, except that if the report is more than six pages in length no paper copies will be required to be distributed to individual members provided that at least 10 paper copies of the report are made available to members at the clerk's or secretary's desk at the front of the respective house. By written notice, the majority leader may direct the clerk or secretary to increase from six pages to some greater number of pages the size of conference committee reports that need not be distributed by paper copies to individual members pursuant to this rule. The affirmative vote of  $\frac{2}{3}$  of the members present in the house at the time of consideration of the report shall be sufficient to dispense with distribution of copies of the conference committee report to all members of that house. Reports of conference committees may be received and considered under any order of business.

(g) *Signatures required on conference committee reports.* All initial conference committee reports other than an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by all of the conferees. All initial conference committee reports which are an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by a majority of the conferees appointed in each house. If a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is not adopted, a subsequent conference committee report shall be signed by all conferees unless a subsequent conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is adopted, in which case a conference committee report subsequent to the adoption of such report shall be signed by a majority of the conferees appointed in each house. All other conference committee reports shall be signed by a majority of the conferees appointed in each house.

(h) *Vote to adopt conference committee report final action; effect of failure of motion to adopt conference committee report.* The vote to adopt the report of a conference committee, other than a report of failure to agree coupled with a recommendation for appointment of a new conference committee, shall be considered

final action on the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion fails, the bill or concurrent resolution shall be deemed to be killed. If the motion on a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and remains in conference.

(i) *Report of conference committee unable to agree; effect of failure to request new conference committee; effect of failure of motion to adopt report requesting new conference committee.* If a conference committee upon any bill or concurrent resolution is unable to agree, it shall report that fact to both houses. Such report may request that a new conference committee be appointed thereon. If the committee so reports but fails to request the appointment of a new conference committee thereon, the bill or concurrent resolution shall be deemed to have been killed upon the adoption by either house of such report. If the motion to adopt a report requesting the appointment of a new conference committee fails, the bill or concurrent resolution shall be deemed to be killed.

(j) *Bills or concurrent resolutions under consideration by conference committees and reports thereof; carryover from odd-numbered to even-numbered year.* Bills or concurrent resolutions under consideration by a conference committee, or a report of which has been filed but no action taken thereon in either house, at the time of adjournment of a regular session of the legislature held in an odd-numbered year shall remain alive during the interim and may be considered by the committee and legislature as the case may be at the regular session held in the following even-numbered year.

**Joint rule 4. Deadlines for introduction and consideration of bills.** The senate and house of representatives shall observe the following schedule of deadlines in making requests for drafting and in the introduction and consideration of bills.

(a) *Bill request deadline for individual members.* Except for bills introduced pursuant to (i) of this rule, no request to draft bills, except those made by committees, through their respective chairpersons, shall be made to, or accepted by, the office of the revisor of statutes after the hour of 5:00 p.m. on February 1, 2021, during the 2021 regular session ~~and on February 3, 2020, during the 2020 regular session.~~

(b) *Bill introduction deadline for individual members.* Except as provided in (i) of this rule, no bill sponsored by a member or members shall be introduced in either house of the legislature after the hour of adjournment on February 10, 2021, during the 2021 regular session ~~and on February 12, 2020, during the 2020 regular session.~~ Such deadline for the introduction of bills by individual members may be changed to an earlier date in either house at any time by resolution duly adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in such house.

(c) *Bill request deadline for certain committees.* Except for bills to be introduced pursuant to (i) of this rule, no committee except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall make a request to the office of the revisor of statutes for any bill to be drafted for sponsorship by such committee after the hour of 5:00 p.m. on February 8, 2021, during the 2021 regular session ~~and on February 10, 2020, during the 2020 regular session.~~

(d) *Bill introduction deadline for certain committees.* Except as provided in (i) of this rule, no bill sponsored by any committee of either house of the legislature, except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be introduced in either house after the hour of adjournment on February 12, 2021, during the 2021 regular session ~~and on February 14, 2020, during the 2020 regular session.~~

(e) *House of origin bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered in the house in which such bill originated after the hour of adjournment on March 5, 2021, during the 2021 regular session ~~and on February 27, 2020, during the 2020 regular session.~~

(f) *Second house bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered by either house, not the house of origin of such bill, after the hour of adjournment on March 31, 2021, during the 2021 regular session ~~and March 25, 2020, during the 2020 regular session.~~

(g) *Exceptions to limitation of (d), (e) and (f); procedure.* Specific exceptions to the limitations prescribed in subsections (d), (e) and (f) may be made in either house by resolution adopted by the affirmative vote of not less than a majority of the members of such house then elected (or appointed) and qualified.

(h) *Deadline which falls on day neither house in session; effect.* In the event that any deadline prescribed in this rule falls on a day that neither house of the legislature is in session, such deadline shall be observed on the next following day that either house is in session.

(i) *Bills introduced in odd-numbered years after deadlines; effect.* Bills may be introduced by members and committees in regular sessions occurring in an odd-numbered year after the times prescribed in (b) and (d) of this rule, but there shall be no final action thereon by either house during the session when introduced. Such bills shall be held over for consideration at the next succeeding regular session held in an even-numbered year.

(j) *Modification of schedule of deadlines for introduction and consideration of bills; procedure.* In any regular session a concurrent resolution may be adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house setting forth a different schedule of deadlines for introduction and consideration of bills for that session and the provisions of such concurrent resolution shall apply to such session notwithstanding provisions of this rule to the contrary.

(k) *Bill consideration deadline; exceptions.* No bills shall be considered by the Legislature after April 9, 2021, during the 2021 regular session ~~and after April 3, 2020,~~

~~during the 2020 regular session~~ except bills vetoed by the governor, the omnibus appropriation act and the omnibus reconciliation spending limit bill provided for under K.S.A. 75-6702, and amendments thereto. This subsection (k) may be suspended for the consideration of a specific bill or bills not otherwise exempt under this subsection by the affirmative vote of a majority of the members then elected (or appointed) and qualified in the house in which the bill is to be considered.

**Joint rule 5. Closure of meetings to consider matters relating to security.** Any standing committee of the house of representatives, any standing committee of the senate, the legislative coordinating council, any joint committee of both houses of the legislature, any special or select committee of the house of representatives or the senate, the house of representatives in session, the senate in session or a joint session of the house of representatives and the senate may meet in closed, executive session for the purpose of receiving information and considering matters relating to the security of state officers or employees, or both, or the security of buildings and property under the ownership or control of the state of Kansas.

**Joint rule 6. Floor amendments to bills making appropriations.** (a) Unless by majority consent to correct an error in drafting, no amendment from the floor in either house of the legislature to increase the amount of expenditures that would be authorized in a provision of an appropriations bill shall be in order unless the amendment contains a provision reducing, by a like or greater amount, expenditures that would be authorized in another provision of such appropriations bill. Notwithstanding any rule in either house of the legislature, those portions of a motion to amend a bill as described in this rule shall be indivisible.

(b) The provisions of subsection (a) shall not apply if the ending balance in the state general fund for the ensuing fiscal year is equal to 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year based on the most recent budget profile of the Kansas legislative research department.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

HOUSE CONCURRENT RESOLUTION No. **HCR 5002**—

By Representatives Highberger and Clayton

A CONCURRENT RESOLUTION relating to the Joint rules of the Senate and House of Representatives for 2021-2022; amending Joint rule 3; and revoking Joint rule 6.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That Joint rule 3 shall be amended to read as follows:

**Joint rule 3. Conference committee procedure.** (a) *Action by house of origin of bill or concurrent resolution amended by other house.* When a bill or concurrent resolution is returned to the house of origin with amendments by the other house, the house of origin may: (1) Concur in such amendments; (2) refuse to concur in such amendments; or (3) refuse to concur in such amendments and request a conference on the bill or concurrent resolution.

(b) *Concurrence by house of origin; concurrence prior to taking action on*

*conference committee report by other house; final action; effect of failure of motion to concur.* The house of origin of any bill or concurrent resolution may concur in any amendments made by the other house, except that if the bill or concurrent resolution has been referred to a conference committee such action may only be taken prior to the taking of final action upon the conference committee report upon such bill or concurrent resolution by the other house. A vote in the house of origin of any bill or concurrent resolution on a motion to concur in amendments to such bill or concurrent resolution by the other house shall be considered action on the final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has been appointed and action has not been taken upon the report of such committee by the other house and such motion fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and the motion to concur may be renewed but not on the same legislative day. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has not been appointed and such motion fails, the bill or concurrent resolution shall be deemed to be killed.

(c) *Motion to nonconcur; when considered final action; effect of adoption of motion.* A vote in the house of origin of any bill or concurrent resolution on a motion to nonconcur or to refuse to concur in amendments to such bill or concurrent resolution by the other house which is not coupled with a request for the appointment of a conference committee shall be considered action on final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal, and the bill or concurrent resolution shall be deemed killed on the adoption thereof.

(d) *House of origin refusal to concur or nonconcur; request for conference; procedure.* When a bill or concurrent resolution is returned by either house to the house of origin with amendments, and the house of origin refuses to concur or to nonconcur therein, a conference may be requested by a majority vote of the members present and voting. Such request shall be transmitted to the other house by message which shall include the names of the conferees on the part of the requesting house. Upon receipt of any such message, the receiving house may, in like manner, approve such conference, and shall thereupon notify the requesting house by message stating the names of its conferees.

(e) *Membership; appointment; chairperson; house of origin of substitute or materially changed bill or concurrent resolution; meetings of conference committee.* Each conference committee shall consist of three members of the senate and three members of the house of representatives, unless otherwise fixed by agreement of the president of the senate and speaker of the house. Senate members shall be appointed by the president of the senate and house members shall be appointed by the speaker of the house of representatives. The president or the speaker may replace any conferee previously appointed by such person. Not less than one member appointed from each house shall be a member of the minority political party of such house except when such representation for such house is waived by the minority leader of such house. In all cases, the first-named member of the house of origin of the bill or concurrent resolution assigned to the committee shall be chairperson of the conference committee. The house of origin of a substitute bill or substitute concurrent resolution shall be the house in which the bill or concurrent resolution in its original form was introduced. The

chairperson of a conference committee on a bill or concurrent resolution the subject matter of which has been ruled to be materially changed shall be a member of the house which amended the bill or concurrent resolution to materially change the subject matter. Each conference committee shall meet on the call of its chairperson. All meetings of conference committees shall be open to the public and no meeting shall be adjourned to another time or place in order to subvert such policy.

(f) *Conference committee reports; matters which may be included; report not subject to amendment; house which acts first on report; copies of reports; reports considered under any order of business.* Only subject matters which are or have been included in the bill or concurrent resolution in conference or in bills or concurrent resolutions which have been passed or adopted in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution except in any appropriations bill there may be included a proviso relating to any such item of appropriation. Subject to any limitations imposed under the constitution of the state of Kansas, no more than a total of ~~four~~ two additional bills or concurrent resolutions or parts of bills or concurrent resolutions in conference or bills or concurrent resolutions or parts of bills or concurrent resolutions which have passed in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution, ~~except that reports of conference committees on any taxation bill are not subject to the limitation contained in this provision.~~ A conference committee report shall not be subject to amendment. The original signed conference committee report shall be submitted to and acted upon first by the house other than the house of origin of the bill or concurrent resolution. Except when a conference committee report is an agree to disagree coupled with a request that a new conference committee be appointed or is a recommendation to accede to or recede from all amendments of the second house, electronic and paper copies of the report shall be made available to all members of the house considering the report not later than 30 minutes before the time of its consideration, except that if the report is more than six pages in length no paper copies will be required to be distributed to individual members provided that at least 10 paper copies of the report are made available to members at the clerk's or secretary's desk at the front of the respective house. By written notice, the majority leader may direct the clerk or secretary to increase from six pages to some greater number of pages the size of conference committee reports that need not be distributed by paper copies to individual members pursuant to this rule. The affirmative vote of  $\frac{2}{3}$  of the members present in the house at the time of consideration of the report shall be sufficient to dispense with distribution of copies of the conference committee report to all members of that house. Reports of conference committees may be received and considered under any order of business.

(g) *Signatures required on conference committee reports.* All initial conference committee reports other than an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by all of the conferees. All conference committee reports which contain any recommendation to strike all of the material in the bill subsequent to the enacting clause and insert new material shall be signed by all of the conferees, and a conference committee report which is an agreement to disagree shall not be used when the conference committee makes any such recommendation. All initial conference committee reports which are an agreement to

disagree coupled with a request that a new conference committee be appointed shall be signed by a majority of the conferees appointed in each house. If a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is not adopted, a subsequent conference committee report shall be signed by all conferees unless a subsequent conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is adopted, in which case a conference committee report subsequent to the adoption of such report shall be signed by a majority of the conferees appointed in each house. All other conference committee reports shall be signed by a majority of the conferees appointed in each house.

(h) *Vote to adopt conference committee report final action; effect of failure of motion to adopt conference committee report.* The vote to adopt the report of a conference committee, other than a report of failure to agree coupled with a recommendation for appointment of a new conference committee, shall be considered final action on the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion fails, the bill or concurrent resolution shall be deemed to be killed. If the motion on a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and remains in conference.

(i) *Report of conference committee unable to agree; effect of failure to request new conference committee; effect of failure of motion to adopt report requesting new conference committee.* If a conference committee upon any bill or concurrent resolution is unable to agree, it shall report that fact to both houses. Such report may request that a new conference committee be appointed thereon. If the committee so reports but fails to request the appointment of a new conference committee thereon, the bill or concurrent resolution shall be deemed to have been killed upon the adoption by either house of such report. If the motion to adopt a report requesting the appointment of a new conference committee fails, the bill or concurrent resolution shall be deemed to be killed.

(j) *Bills or concurrent resolutions under consideration by conference committees and reports thereof; carryover from odd-numbered to even-numbered year.* Bills or concurrent resolutions under consideration by a conference committee, or a report of which has been filed but no action taken thereon in either house, at the time of adjournment of a regular session of the legislature held in an odd-numbered year shall remain alive during the interim and may be considered by the committee and legislature as the case may be at the regular session held in the following even-numbered year.

*Be it further resolved:* That Joint rule 6 be revoked.

## MESSAGES FROM THE SENATE

Announcing adoption of **SR 1701**, a resolution relating to the organization of the 2021 Senate and the selection of the following officers:

Ty Masterson, President,  
Rick Wilborn, Vice President,  
Gene Suellentrop, Majority Leader,  
Dinah Sykes, Minority Leader,  
Corey Carnahan, Secretary,

Don Cackler, Sergeant-at-Arms,  
and awaits the pleasure of the House of Representatives.

Announcing adoption of **SCR 1601**, a concurrent resolution relating to a committee to wait upon the Governor and advise her the 2021 session of the Legislature is duly organized and ready to receive communication.

#### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate concurrent resolution was thereupon introduced and read by title:

##### **SCR 1601**

On emergency motion of Rep. Hawkins, **SCR 1601** was adopted.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Tuesday, January 12, 2021.

# Journal of the House

## SECOND DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, January 12, 2021, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Finch in the chair.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

**HB 2048**, AN ACT concerning the governmental response to the COVID-19 pandemic in Kansas; providing certain relief related to health, welfare, property and economic security during this public health emergency; relating to the state of disaster emergency; powers of the governor and executive officers; providing certain limitations and restrictions; authorizing the temporary sale of alcoholic liquor for consumption off of certain licensed premises; relating to changes in eligibility for benefits under the employment security law in response to the COVID-19 public health emergency; authorizing the expanded use of telemedicine in response to the COVID-19 public health emergency and imposing requirements related thereto; suspending certain requirements related to medical care facilities and expiring such provisions; providing for temporary suspension of certain healthcare professional licensing and practice requirements; delegation and supervision requirements; conditions of licensure and renewal and reinstatement of licensure; relating to limitations on business liability associated with the COVID-19 public health emergency; amending K.S.A. 2019 Supp. 48-925, as amended by section 34 of chapter 1 of the 2020 Special Session Laws of Kansas and 48-925, as amended by section 34 of chapter 1 of the 2020 Special Session Laws of Kansas, as amended by section 5 of this act, and K.S.A. 2020 Supp. 41-2653, 44-705, 48-924, 48-924b, 48-925a, 48-963, 48-965, 48-966 and 60-5504 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2049**, AN ACT concerning the legislative division of post audit; relating to audits; prohibiting a public agency from charging a fee under the open records act for records requested therefor; amending K.S.A. 2020 Supp. 45-219 and repealing the existing section, by Committee on Legislative Post Audit Committee.

**HB 2050**, AN ACT concerning the legislative division of post audit; removing the requirement to submit certain documents thereto; amending K.S.A. 22-4514a, 75-3728c, 76-721 and 79-3233b and repealing the existing sections, by Committee on Legislative Post Audit Committee.

HOUSE CONCURRENT RESOLUTION No. **HCR 5003**—

By Committee on Federal and State AffairsHouse

**HCR 5003**—A PROPOSITION to amend the bill of rights of the constitution of the state of Kansas by adding a new section thereto stating that there is no constitutional right to abortion, and reserving to the people the ability to regulate abortion through the elected members of the legislature of the state of Kansas.

WHEREAS, This proposition to amend the bill of rights of the constitution of the state of Kansas shall be known and may be cited as the Value Them Both Amendment.

Now, therefore:

*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: The bill of rights of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

"§ 22. **Regulation of abortion.** Because Kansans value both women and children, the constitution of the state of Kansas does not require government funding of abortion and does not create or secure a right to abortion. To the extent permitted by the constitution of the United States, the people, through their elected state representatives and state senators, may pass laws regarding abortion, including, but not limited to, laws that account for circumstances of pregnancy resulting from rape or incest, or circumstances of necessity to save the life of the mother."

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

*"Explanatory statement.* The Value Them Both Amendment would affirm there is no Kansas constitutional right to abortion or to require the government funding of abortion, and would reserve to the people of Kansas, through their elected state legislators, the right to pass laws to regulate abortion, including, but not limited to, in circumstances of pregnancy resulting from rape or incest, or when necessary to save the life of the mother.

"A vote for the Value Them Both Amendment would affirm there is no Kansas constitutional right to abortion or to require the government funding of abortion, and would reserve to the people of Kansas, through their elected state legislators, the right to pass laws to regulate abortion.

"A vote against the Value Them Both Amendment would make no changes to the constitution of the state of Kansas, and could restrict the people, through their elected state legislators, from regulating abortion by leaving in place the recently recognized right to

abortion."

Sec. 3. This resolution, if approved by 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 shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at a special election which is hereby called on August 2, 2022, pursuant to section 1 of article 14 of the constitution of the state of Kansas, to be held in conjunction with the primary election held on such date.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolutions were referred to committees as indicated:

Agriculture: **HB 2025, HB 2032.**

Appropriations: **HB 2021, HB 2022, HB 2043, HB 2046.**

Children and Seniors: **HB 2004.**

Commerce, Labor and Economic Development: **HB 2016, HB 2017, HB 2018, HB 2033, HB 2040, HB 2041, HB 2045.**

Corrections and Juvenile Justice: **HB 2001, HB 2008, HB 2010, HB 2026, HB 2027, HB 2028, HB 2029, HB 2030, HB 2031.**

Education: **HB 2037, HB 2038, HB 2039.**

Elections: **HB 2002, HB 2011, HB 2012, HB 2036.**

Federal and State Affairs: **HB 2006, HB 2047.**

Insurance and Pensions: **HB 2042, HB 2044.**

Judiciary: **HB 2009, HB 2013, HB 2024.**

Local Government: **HB 2034, HB 2035.**

Rules and Journal: **HCR 5001, HCR 5002, HR 6004, HR 6005, HR 6006.**

Taxation: **HB 2003, HB 2023.**

Transportation: **HB 2007, HB 2014, HB 2015, HB 2019.**

Veterans and Military: **HB 2020.**

Water: **HB 2005.**

## STANDING COMMITTEES OF THE HOUSE LEGISLATIVE SESSION 2021

**Agriculture:** Rahjes, *Chairperson*; E.Smith, *Vice Chairperson*; Carlson, Fairchild, Jacobs, Minnix, Moser, Murphy, Newland, Orr, Seiwert, Thompson  
Carlin, *Ranking Minority Member*; Featherston, Haswood, Probst, Xu

**Agriculture and Natural Resources Budget:** Corbet, *Chairperson*; Newland, *Vice Chairperson*; Baker, Garber, Howard, Lee-Hahn  
Carlin, *Ranking Minority Member*; Alcalá, Gartner

**Appropriations:** Waymaster, *Chairperson*; Hoffman, *Vice Chairperson*; W. Carpenter, Concannon, Corbet, Estes, Francis, Humphries, S. Johnson, Landwehr, Owens, Proehl, Rahjes, Sutton, Tarwater, Williams

Wolfe Moore, *Ranking Minority Member*; Alcalá, Ballard, Burroughs, Carlin, Helgerson, Parker

**Calendar and Printing:** Hawkins, *Chairperson*; Ryckman, *Vice Chairperson*; Finch, Mason

Woodard, *Ranking Minority Member*; Xu

**Children and Seniors:** Concannon, *Chairperson*; Esau, *Vice Chairperson*; Helmer, T. Johnson, Moser, Penn, C. Smith, Thompson, Waggoner

Ousley, *Ranking Minority Member*; Hoye, Neighbor, Vaughn

**Commerce, Labor and Economic Development:** Tarwater, *Chairperson*; Long, *Vice Chairperson*; Anderson, Awerkamp, Borjon, W. Carpenter, Croft, Dodson, Highland, Hoffman, S. Johnson, Kessler, Mason, Ralph, Sutton, Williams

Clayton, *Ranking Minority Member*; Burroughs, Curtis, Miller, Probst, L. Ruiz, Xu

**Corrections and Juvenile Justice:** Jennings, *Chairperson*; Owens, *Vice Chairperson*; B. Carpenter, French, Patton, Poetter, Resman, E. Smith, Wheeler

Highberger, *Ranking Minority Member*; Carmichael, Day, Kuether

**Education:** Huebert, *Chairperson*; Thomas, *Vice Chairperson*; Bergkamp, Clark, Collins, Donohoe, Estes, Murphy, Orr, Samsel, Sanders, Schreiber

Stogsdill, *Ranking Minority Member*; Byers, Featherston, Poskin, Wolfe Moore

**Elections:** B. Carpenter, *Chairperson*; Bergquist, *Vice Chairperson*; Borjon, Collins, Dodson, Lee-Hahn, Proctor, C. Smith, Toplikar

Miller, *Ranking Minority Member*; Bishop, Neighbor, Parker

**Energy, Utilities and Telecommunications:** Seiwert, *Chairperson*; Schreiber, *Vice Chairperson*; Anderson, Bergquist, Borjon, Delperdang, Esau, Kessler, Mason, Samsel, C. Smith, Turner

Kuether, *Ranking Minority Member*; Carmichael, Gartner, Neighbor, Ohaebosim

**Federal and State Affairs:** Barker, *Chairperson*; Arnberger, *Vice Chairperson*; Awerkamp, Burris, B. Carpenter, Eplee, Garber, Houser, Howe, Jacobs, Moser, Penn, Poetter, Resman, E. Smith, Waggoner

L. Ruiz, *Ranking Minority Member*; Clayton, Henderson, Highberger, Hoye, Miller, Woodard

**Financial Institutions and Rural Development:** Kelly, *Chairperson*; Hoheisel, *Vice Chairperson*; Anderson, Baker, Bergkamp, Donohoe, Kessler, Lynn, Neelly, Samsel, Toplikar, Wasinger

Xu, *Ranking Minority Member*; Day, Finney, Poskin, Weigel

**General Government Budget:** Sutton, *Chairperson*; Waggoner, *Vice Chairperson*; Anderson, Arnberger, Clark, French

Amyx, *Ranking Minority Member*; Burroughs, Wolfe Moore

**Health and Human Services:** Landwehr, *Chairperson*; Eplee, *Vice Chairperson*; Arnberger, Barker, Bergquist, Blex, Carlson, Ellis, Kelly, Lynn, A. Smith Turner

Parker, *Ranking Minority Member*; Bishop, Haswood, Henderson, S. Ruiz

**Higher Education Budget:** Humphries, *Chairperson*; Wasinger, *Vice Chairperson*; Burris, Fairchild, Rahjes, Rhiley  
Woodard, *Ranking Minority Member*; Amyx, Winn

**Insurance and Pensions:** S. Johnson, *Chairperson*; Croft, *Vice Chairperson*; Bergquist, Borjon, Collins, Dodson, Garber, Howe, Proctor, Rhiley, C. Smith, Toplikar  
Neighbor, *Ranking Minority Member*; Bishop, Finney, Miller, Parker

**Interstate Cooperation:** Ryckman, *Chairperson*; Finch, *Vice Chairperson*; B. Carpenter, Hawkins, Mason  
Winn, *Ranking Minority Member*; Ballard

**Judiciary:** Patton, *Chairperson*; Ralph, *Vice Chairperson*; Burris, Hoheisel, Humphries, Jennings, Long, Neelly, Owens, Samsel, Schreiber, Wheeler  
Carmichael, *Ranking Minority Member*; Curtis, Highberger, Kuether, Ohaebosim

**K-12 Education Budget:** Williams, *Chairperson*; Hoffman, *Vice Chairperson*; Estes, Huebert, T. Johnson, Landwehr, Penn, Tarwater, Thomas  
Winn, *Ranking Minority Member*; Byers, Hoyer, Ousley, Sawyer

**House Legislative Budget:** Waymaster, *Chairperson*; Hoffman, *Vice Chairperson*; Finch, Hawkins, Ryckman  
Wolfe Moore, *Ranking Minority Member*; Alcalá, Helgeson

**Local Government:** Thompson, *Chairperson*; Blex, *Vice Chairperson*; Collins, Helmer, Howard, Lee-Hahn, Long, Sanders, Wheeler  
Curtis, *Ranking Minority Member*; Amyx, Featherston, Ousley

**Redistricting:** Croft, *Chairperson*; Ralph, *Vice Chairperson*; Barker, Esau, Hoffman, Hoheisel, Huebert, Kelly, Landwehr, Patton, A. Smith Sutton  
Burroughs, *Ranking Minority Member*; Ballard, Clayton, Miller, Probst

**Rules and Journal:** Patton, *Chairperson*; Highland, Humphries, Ralph, A. Smith  
Highberger, *Vice Chairperson*; Clayton

**Social Services Budget:** W. Carpenter, *Chairperson*; Lynn, *Vice Chairperson*; Concannon, Donohoe, Helmer, Howard  
Ballard, *Ranking Minority Member*; S. Ruiz, Vaughn

**Taxation:** A. Smith *Chairperson*; Mason, *Vice Chairperson*; Averkamp, Baker, Bergkamp, Blex, Corbet, Eplee, Highland, Kelly, Kessler, Poetter, Proehl, Sanders, Turner, Wasinger  
Gartner, *Ranking Minority Member*; Alcalá, Clayton, Day, Helgeson, Stogsdill, Woodard

**Transportation:** Proehl, *Chairperson*; Delperdang, *Vice Chairperson*; Francis, Hoheisel, Houser, Howe, Jacobs, Minnix, Neelly, Proctor, Seiwert, Toplikar  
Helgeson, *Ranking Minority Member*; Ballard, Ohaebosim, Victors, Weigel

**Transportation and Public Safety Budget:** Francis, *Chairperson*; Resman, *Vice Chairperson*; Delperdang, Ellis, Esau, Houser  
Weigel, *Ranking Minority Member*; Poskin, Victors

**Veterans and Military:** Clark, *Chairperson*; Ellis, *Vice Chairperson*; Collins, Dodson, French, Howard, T. Johnson, Neelly, Proctor  
S. Ruiz, *Ranking Minority Member*; Poskin, Victors, Weigel

**Water:** Highland, *Chairperson*; Orr, *Vice Chairperson*; Carlson, Croft, Fairchild, Jennings, Minnix, Murphy, Newland, Rhiley, A. Smith Thomas  
Bishop, *Ranking Minority Member*; Byers, Haswood, Stogsdill, Vaughn

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Wednesday, January 13, 2021.

# Journal of the House

THIRD DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, January 13, 2021, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Ryckman in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2051**, AN ACT concerning the offices of the state treasurer and the commissioner of insurance; relating to the filling of a vacancy; amending K.S.A. 25-101b and 40-106 and repealing the existing sections, by Committee on Elections.

**HB 2052**, AN ACT concerning ethics; authorizing legislative assistants and committee assistants to accept a gift of not to exceed \$120 per session; amending K.S.A. 46-235 and repealing the existing section, by Committee on Elections.

**HB 2053**, AN ACT concerning campaign finance; requiring electronic filing of reports for state offices; amending K.S.A. 2020 Supp. 25-4148 and repealing the existing section, by Committee on Elections.

**HB 2054**, AN ACT concerning advance ballots; relating to limitations on persons returning such advance ballots; establishing criminal penalties related thereto; amending K.S.A. 25-1130 and K.S.A. 2020 Supp. 25-1124 and 25-1128 and repealing the existing sections, by Committee on Elections.

**HB 2055**, AN ACT concerning late filing of lobbyist reports and statements of financial interest reports; amending K.S.A. 2020 Supp. 46-280 and repealing the existing section, by Committee on Elections.

**HB 2056**, AN ACT concerning food products; relating to the Kansas food, drug and cosmetic act; regulating the sale and distribution of kratom products; amending K.S.A. 65-656 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2057**, AN ACT concerning alcoholic beverages; relating to the club and drinking establishment act; authorizing the issuance of drinking establishment licenses to licensed manufacturers under certain conditions; amending K.S.A. 41-2632 and K.S.A. 2020 Supp. 41-2623 and 41-2642 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2058**, AN ACT concerning firearms; relating to the personal and family protection act; recognition of licenses issued by other jurisdictions; amending K.S.A. 75-7c03 and K.S.A. 2020 Supp. 21-6302 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2059**, AN ACT concerning firearms; relating to the personal and family protection act; recognition of licenses issued by other jurisdictions; creating a special

license for persons under the age of 21; amending K.S.A. 75-7c02, 75-7c03, 75-7c04, 75-7c08 and 75-7c21 and K.S.A. 2020 Supp. 21-5914, 21-6301, 21-6302, 21-6309 and 32-1002 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2060**, AN ACT establishing daylight saving time as the permanent standard time for the state of Kansas, by Committee on Federal and State Affairs.

**HB 2061**, AN ACT concerning cigarettes and tobacco products; increasing the minimum age to purchase or possess such products; prohibiting cigarette vending machines and self-service displays; amending K.S.A. 72-6285, 79-3301, 79-3302, 79-3303, 79-3304, 79-3309, 79-3316, 79-3321, 79-3322, 79-3323, 79-3326, 79-3334, 79-3335, 79-3388, 79-3391, 79-3394, 79-3396 and 79-3399 and K.S.A. 2020 Supp. 21-5102, 21-6109, 21-6110 and 50-6a14 and repealing the existing sections; also repealing K.S.A. 79-3310c, by Committee on Federal and State Affairs.

**HB 2062**, AN ACT concerning the state child death review board; relating to confidentiality of records; exceptions thereto; amending K.S.A. 2020 Supp. 22a-243 and repealing the existing section, by Committee on Children and Seniors.

**HB 2063**, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; providing certain spousal and children's benefits for death resulting from a service-connected disability; amending K.S.A. 74-4960a and repealing the existing section, by Committee on Joint Committee on Pensions, Investments and Benefits.

**HB 2064**, AN ACT concerning retirement and pensions; relating to the Kansas deferred retirement option program act; election; extension of initial DROP period; amending K.S.A. 74-4986n and K.S.A. 2020 Supp. 74-4986l and repealing the existing sections, by Committee on Joint Committee on Pensions, Investments and Benefits.

**HB 2065**, AN ACT concerning the Kansas act against discrimination and acts supplemental thereto; prohibiting discrimination in housing based on the source of income of the buyer or renter; amending K.S.A. 44-1015, 44-1016, 44-1017, 44-1018 and 44-1027 and repealing the existing sections, by Representative Woodard.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Federal and State Affairs: **HCR 5003**.

Judiciary: **HB 2048, HB 2049, HB 2050**.

## CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2001, HB 2008** from Committee on Corrections and Juvenile Justice and referral to Committee on Judiciary.

Also, the withdrawal of **HB 2011** from Committee on Elections and referral to Committee on Judiciary.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6007**—

By Representatives Rhiley, Garber, Jacobs and Murphy

**HR 6007**—A RESOLUTION declaring September 24, 2021, as a day of prayer, fasting and public humiliation in Kansas.

WHEREAS, Our state and nation cries out in pain, grief, anxiety and worry; and  
WHEREAS, We restate the proclamation of President Abraham Lincoln, "It is fit and becoming in all people, at all times, to acknowledge and revere the Supreme Government of God," and "...that the fear of the Lord is the beginning of wisdom"; and

WHEREAS, We humbly ask Almighty God in accordance with His sovereignty to heal our land of calamities, division, anger and strife; and

WHEREAS, We further quote President Lincoln to, "...earnestly recommend to the people, and especially to all ministers and teachers of religion, of all denominations, to all heads of families, to observe and keep that day, according to their several creeds and modes of worship, in all humility and with all religious solemnity, to the end that the united prayer of the nation may ascend to the Throne of Grace, and bring down plentiful blessings upon our country"; and

WHEREAS, We have the confidence that, in accordance with God's will, our nation and state will be healed and unified: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we designate Friday, September 24, 2021, as a day of prayer, fasting and public humiliation in Kansas; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Rhiley.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Thursday, January 14, 2021.

# Journal of the House

FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, January 14, 2021, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Ryckman in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2066**, AN ACT concerning occupational regulation; relating to occupational licenses for certain applicants; telemedicine; temporary emergency licenses; electronic credentials; amending K.S.A. 2020 Supp. 48-3406 and repealing the existing section, by Representatives Croft, Owens, Proctor, Tarwater, Thomas and Wasinger.

**HB 2067**, AN ACT concerning school districts; relating to the allocation of school district moneys for improvement of student academic performance; amending K.S.A. 72-1163 and repealing the existing section, by Committee on K-12 Education Budget.

**HB 2068**, AN ACT concerning education; relating to the tax credit for low income students scholarship program act; expanding student eligibility for the program; amending K.S.A. 2020 Supp. 72-4352, 72-4354 and 72-5178 and repealing the existing sections, by Committee on K-12 Education Budget.

**HB 2069**, AN ACT concerning financial institutions; enacting the Kansas economic recovery loan deposit program; relating to credit unions, field of membership; banks, trust companies and savings and loan institutions, privilege tax, deduction of net interest received from certain agricultural real estate loans and single family residence loans; amending K.S.A. 75-4237 and 79-1109 and K.S.A. 2020 Supp. 17-2205 and repealing the existing sections, by Committee on Financial Institutions and Rural Development.

**HB 2070**, AN ACT concerning postsecondary education; relating to certain private postsecondary educational institutions; acceptable methods of payment, credit card surcharges; amending K.S.A. 75-30,100 and repealing the existing section, by Committee on Taxation.

**HB 2071**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; increasing criminal penalties for stalking a minor; amending K.S.A. 2020 Supp. 21-5427 and repealing the existing section, by Representatives Lynn, Arnberger, Croft, Esau, Finch, Hawkins, Helmer, Hoheisel, Landwehr, Long, Owens, Resman, Ryckman, Samsel, Tarwater, Thomas, Toplikar, Waggoner, Wasinger, K. Williams and Woodard.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following concurrent resolution was introduced and read by title:

HOUSE CONCURRENT RESOLUTION No. **HCR 5004**—  
By Committee on Elections

**HCR 5004**—A PROPOSITION to amend section 11 of article 1 of the constitution of the state of Kansas, relating to vacancies in executive offices.

*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: Section 11 of article 1 of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 11. **Vacancies in executive offices.** When the office of governor is vacant, the lieutenant governor shall become governor. In the event of the disability of the governor, the lieutenant governor shall assume the powers and duties of governor until the disability is removed. The legislature shall provide by law for the succession to the office of governor should the offices of governor and lieutenant governor be vacant, and for the assumption of the powers and duties of governor during the disability of the governor, should the office of lieutenant governor be vacant or the lieutenant governor be disabled. When the office of secretary of state or attorney general is vacant, ~~the governor shall fill the vacancy by appointment~~ legislature shall provide by law for the filling of the vacancy for the remainder of the term. If the secretary of state or attorney general is disabled, ~~the governor shall name~~ legislature shall provide by law for the naming of a person to assume the powers and duties of the office until the disability is removed. The procedure for determining disability and the removal thereof shall be provided by law."

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

*"Explanatory statement.* The purpose of this amendment is to replace the authority of the governor to fill vacancies in the offices of secretary of state and attorney general, by appointment, and to name persons to assume the powers and duties of the offices of secretary of state and attorney general, if the secretary of state or attorney general is disabled, with a grant of authority to the legislature to provide by law for the filling of vacancies in those offices and for the naming of persons to assume those offices in the event of a disability.

"A vote for this proposition would amend the Kansas constitution to permit the legislature to provide, by law, for the filling of vacancies in the offices of the secretary of state and the attorney general and to provide, by law, for the naming of persons to assume the offices of secretary of state and attorney general, if the person holding that office became disabled.

"A vote against this proposition would not amend the constitution, in which case the current provision providing the governor with the authority to fill vacancies in the offices of secretary of state and attorney general, by appointment, and the authority to name persons to assume those offices in the event of disability would remain. "

Sec. 3. This resolution, if approved by 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 shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2022, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

HOUSE RESOLUTION NO. **HCR 5005**—

by Representatives Ryckman, Finch, Hawkins, Sawyer and Probst

**HCR 5005**—A CONCURRENT RESOLUTION honoring the hard work and resiliency of frontline workers during the COVID-19 pandemic.

WHEREAS, On March 13, 2020, President Trump declared a public health emergency due to the outbreak of COVID-19; and

WHEREAS, COVID-19 presents a daunting challenge that our healthcare workers, food service workers, childcare workers, transportation workers and other frontline workers face everyday; and

WHEREAS, The state of Kansas has called upon our frontline workers to serve their state during this pandemic; and

WHEREAS, Frontline workers have answered this call and carried out critical work to protect the health and safety of our communities and minimize the disruption that COVID-19 has caused; and

WHEREAS, Kansans owe a debt of gratitude to Kansas frontline workers for their selfless service during the COVID-19 pandemic: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the State of Kansas honors the hard work and resiliency of all frontline workers who continue to serve Kansas during the COVID-19 pandemic; and

*Be it further resolved:* That the Secretary of State shall send three enrolled copies of this resolution to Representative Finch.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to committees as indicated:

Children and Seniors: **HB 2062**.

Commerce, Labor and Economic Development: **HB 2057**.

Elections: **HB 2051, HB 2052, HB 2053, HB 2054, HB 2055**.

Federal and State Affairs: **HB 2056, HB 2058, HB 2059, HB 2060, HB 2061, HB 2065, HR 6007.**

Insurance and Pensions: **HB 2063, HB 2064.**

### **COMMUNICATIONS FROM STATE OFFICERS**

From Derek Schmidt, Kansas Attorney General, pursuant to K.S.A. 22a-243, the 2020 annual report of the Kansas State Death Review Board.

The complete report is kept on file and open for inspection in the office of the Chief Clerk.

### **APPOINTMENT OF SELECT COMMITTEE**

Speaker Ryckman, pursuant to Article 49 of the House Rules and in accordance with K.S.A. Chapter 46, Article 10, appointed the following members to serve on a Select Investigative Committee in response to the complaint filed with the House Clerk, Susan Kannarr on January 12<sup>th</sup>, 2021:

Rep. John Barker (Chair) Rep. Susan Humphries, Rep. Kristey Williams  
Rep. Dennis “Boog” Highberger, Rep. Cindy Neighbor, Rep. Susan Ruiz.

January 12, 2021

Chief Clerk  
House of Representatives

Pursuant to House Rule 4901, we are requesting censure procedures including consideration of expulsion of Representative Aaron Coleman for his actions after he became the Representative-elect of the 37th House District.

Representative Coleman brings to the Kansas Legislature a longstanding history of physically and emotionally abusive behavior. Some acts pre-date his election in 2020, yet illustrate a pattern of behavior that continues to the present day.

An attached document outlines some of his more recent and egregious offenses, including a public threat against the Governor of Kansas, recent physical abuse of a woman, and harassment of another woman that resulted in the filing of a request for a court protective order. This list is long, but it is not comprehensive.

Representative Coleman’s past and present behavior renders him unfit for office. His removal is further necessary to ensure the safety and well-being of legislators and Capitol staff.

We the undersigned hereby desire to lodge a formal complaint.

Tom Sawyer, Jason Probst, Jo Ella Hoyer, Lindsay Vaughn, Christine Haswood, Jennifer Day, Mari-Lynn Poskin, Stephanie Byers, Linda Featherston, Barbara Ballard, Stephanie Clayton, Brandon Woodard, Rui Xu.

On motion of Rep. Hawkins the House adjourned pro forma until 9:00 a.m. on Friday, January 15, 2021.

# Journal of the House

FIFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, January 15, 2021, 9:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Finch in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2072**, AN ACT concerning insurance; relating to risk-based capital requirements; updating the version of instructions in effect; amending K.S.A. 2020 Supp. 40-2c01 and repealing the existing section, by Committee on Insurance and Pensions.

**HB 2073**, AN ACT concerning insurance; relating to coverage of mental illness and substance use disorders; limiting utilization review under certain circumstances; enacting the Kristi L. Bennett mental health parity act; amending K.S.A. 2020 Supp. 40-2,105 and 40-2,105a and repealing the existing section, by Committee on Insurance and Pensions.

**HB 2074**, AN ACT concerning insurance; relating to producer licensing requirements; agent conduct; pertaining to examinations; fees; renewal dates; suspension, revocation or denial of licensure; licensure renewal; amending K.S.A. 2020 Supp. 40-241, 40-4902, 40-4903, 40-4905, 40-4909, 40-4912, 40-4915, 40-5505 and 40-5512 and repealing the existing sections, by Committee on Insurance and Pensions.

**HB 2075**, AN ACT concerning the probate code; relating to adoption; venue; agency adoptions; amending K.S.A. 2020 Supp. 59-2126 and repealing the existing section, by Committee on Judiciary.

**HB 2076**, AN ACT concerning criminal procedure; relating to sureties; surrender of obligor by surety; release of surety; requiring delivery to county where the complaint subject to the bond was filed; amending K.S.A. 22-2809 and repealing the existing section, by Committee on Judiciary.

**HB 2077**, AN ACT concerning the Kansas criminal justice reform commission; relating to expiration of the commission; extending the commission and limiting the scope of study; amending K.S.A. 2020 Supp. 21-6902 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2066**.  
Elections: **HCR 5004**.

Financial Institutions and Rural Development: **HB 2069**.

Judiciary: **HB 2071**.

K-12 Education Budget: **HB 2067, HB 2068**.

Taxation: **HB 2070**.

#### **CHANGE OF REFERENCE**

Speaker pro tem Finch announced the withdrawal of **HB 2009** from Committee on Judiciary and referral to Committee on Corrections and Juvenile Justice.

#### **COMMUNICATIONS FROM STATE OFFICERS**

From Elaine Frisbie, Kansas Board of Regents, in accordance with KSA 74-32,418; the Kansas Training Information Program report (K-TIP.)

From Elaine Frisbie, Kansas Board of Regents, in accordance with KSA 76-7,103 the Kansas Board of Regents 2020 Report on State University Building Inventory, Space Utilization, and Facilities Condition.

From Elaine Frisbie, Kansas Board of Regents, in accordance with KSA 75-7221, Annual Report on the KAN-ED Fund.

From Elaine Frisbie, Kansas Board of Regents, in accordance with KSA 74-32,402(a)(12), the Kansas Board of Regents Annual Report for the Postsecondary Technical Education Authority.

From Elaine Frisbie, Kansas Board of Regents, Annual Report on several Student Financial Aid programs administered by the Kansas Board of Regents.

From Joseph House, Paramedic, Executive Director, Kansas Board of Emergency Medical Services, pursuant to K.S.A. 65-6111, 2020 Annual Report.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

#### **MESSAGES FROM THE SENATE**

Announcing passage of **SB 13, SB 14**.

#### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 13, SB 14**

#### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

Speaker pro tem Finch referred **SB 14** to Committee on Judiciary.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Tuesday, January 19, 2021.

# Journal of the House

SIXTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, January 19, 2021, 11:00 a.m.

## OATH OF OFFICE

Representative-elect Doug Blex, of the 12<sup>th</sup> district, came forward, took and subscribed, or affirmed his oath of office, administered by Chief Justice Marla Luckert, as follows:

State of Kansas  
County of Shawnee}ss.

I do solemnly swear, or affirm, that I will support the Constitution of the United States, and the Constitution of the State of Kansas, and will faithfully discharge the duties of the office of

KANSAS STATE REPRESENTATIVE OF THE  
12<sup>th</sup> District  
so help me God.

DOUG BLEX

Subscribed and Sworn to, or Affirmed, before me this 19th of January, 2021.

MARLA LUCKERT  
*Chief Justice Kansas Supreme Court*

## OATH OF OFFICE

Representative-elect Bradley Ralph, of the 119<sup>th</sup> district, came forward, took and subscribed, or affirmed his oath of office, administered by Chief Justice Marla Luckert, as follows:

State of Kansas  
County of Shawnee}ss.

I do solemnly swear, or affirm, that I will support the Constitution of the United States, and the Constitution of the State of Kansas, and will faithfully discharge the duties of the office of

KANSAS STATE REPRESENTATIVE OF THE  
119<sup>th</sup> District  
so help me God.

BRADLEY RALPH

Subscribed and Sworn to, or Affirmed, before me this 19th of January, 2021.

MARLA LUCKERT  
*Chief Justice Kansas Supreme Court*

The House is now organized with 125 members.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

Reps. Alcala, Amyx, Anderson, Amberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, Carpenter, W., Clark, Clayton, Coleman, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, Donohoe, Ellis, Eplee, Estes, Fairchild, Featherston, Finney, Francis, French, Garber, Gartner, Haswood, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser., Howard, Howe, Hoye, Huebert, Jennings, Johnson, S., Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Miller, Minnix, Moser, Murphy, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, Williams, Winn, Wolfe Moore, Woodard and Xu were excused on excused absence by the Speaker.

Prayer by Rep. Jacobs:

Heavenly Father we thank You that You love us, that Your word the Holy Bible tells us that we can be saved, healed, and forgiven of all our sins in the Name of Jesus. Lord we come before You and humbly ask for Your Amazing Grace, let us know Your Blessed Assurance as we Trust and Obey You.

Father, as we submit to Your will in Jesus name protect us and guide us on Your path of righteousness share Your peace with us. Let our hearts not be troubled or fearful but let us find our strength, boldness, and wisdom in Your Mighty Name.

And it's in the beautiful Name of our Lord that I pray and proclaim Lord Jesus come quickly. Amen

The Pledge of Allegiance was led by Speaker pro tem Finch.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2077**.

Insurance and Pensions: **HB 2072, HB 2073, HB 2074**.

Judiciary: **HB 2075, HB 2076**.

Taxation: **SB 13**.

**REPORTS OF STANDING COMMITTEES**

Committee on **Judiciary** recommends **HB 2048** be amended on page 6, in line 7, by striking all after "terminate";

On page 10, in line 20, by striking "June 1, 2021" and inserting "January 24, 2022";

On page 12, in line 36, by striking "issue an"; also in line 36, by striking "that substantially"; by striking all in line 37; in line 38, by striking all before "business" and inserting "the closure or cessation of any";

On page 13, in line 7, before the period by inserting "and may not issue an order that prevents the movement or gathering of individuals";

On page 14, in line 10, after "(b)" by inserting "Notwithstanding any statute to the contrary, an applicant may practice in Kansas pursuant to a temporary emergency license upon submission of a non-resident healthcare provider certification form to the Kansas healthcare stabilization fund and without paying the surcharge required by K.S.A. 40-3404, and amendments thereto.

(c);

On page 16, in line 15, by striking all after "(h)"; by striking all in lines 16 through 24; in line 25, by striking "(i)";

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

On page 17, in line 40, by striking "June 1, 2021" and inserting "January 24, 2022"; and the bill be passed as amended.

On motion of Rep. Hawkins the House adjourned pro forma until 9:00 a.m. on Wednesday, January 20, 2021.

# Journal of the House

## SEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, January 20, 2021, 9:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Finch in the chair.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2078**, AN ACT concerning criminal procedure; relating to discharge of persons not brought promptly to trial; suspension and elimination of statutory deadlines; amending K.S.A. 2020 Supp. 22-3402 and repealing the existing section, by Committee on Judiciary.

**HB 2079**, AN ACT concerning state officers; relating to certain powers, duties and functions of the secretary of state and the attorney general; the address confidentiality program; transferring duties to the attorney general; amending K.S.A. 75-451, 75-452, 75-453, 75-454, 75-455, 75-456, 75-457 and 75-458 and repealing the existing sections, by Committee on Judiciary.

**HB 2080**, AN ACT concerning state officers; relating to certain powers; duties and functions of the secretary of state and the attorney general; charitable organizations; transferring duties to the attorney general; increasing certain fees; creating the charitable organizations fee fund; amending K.S.A. 17-1759, 17-1763, 17-1764, 17-1765, 17-1766, 17-1769, 17-1771, 17-1772 and 46-236 and K.S.A. 2020 Supp. 17-1762 and repealing the existing sections, by Committee on Judiciary.

**HB 2081**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; multiple sentences for people convicted of a new crime; modifying how certain prior convictions are counted for the special sentencing rule related to possession of a controlled substance; amending K.S.A. 2020 Supp. 21-6606 and 21-6805 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2082**, AN ACT concerning the crime victims compensation board; relating to applications for compensation; mental health counseling; adding certain children to the definition of victim; amending K.S.A. 74-7301 and K.S.A. 2020 Supp. 74-7305 and repealing the existing sections, by Committee on Judiciary.

**HB 2083**, AN ACT concerning the Kansas sentencing commission; relating to membership; legislative members; amending K.S.A. 74-9102 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2084**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; probation; authorizing earned discharge credit and early release from probation; limiting maximum duration of probation; amending K.S.A. 2020 Supp. 21-6608 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

### CHANGE OF REFERENCE

Speaker pro tem Finch announced the withdrawal of **SB 14** from Committee on Judiciary and referral to the Calendar under the heading General Orders.

### REPORTS OF STANDING COMMITTEES

The Committee on **Rules and Journal** recommends **HR 6004** (Corrected) be amended on page 6, in line 1, after the period by inserting "Such bill or resolution shall contain the name of the legislator or the committee that is the sponsor of the legislation and the name of the person, state or local agency, organization or entity, if any, that requested the bill for introduction by the legislator or committee.";

On page 11, in line 33, after the period by inserting "Requests for introduction of bills made before a committee shall be made by a legislator or a person, state or local agency, organization or entity. A legislator whose purpose is to request introduction of a bill on behalf of a person, state or local agency, organization or entity shall state such purpose when making the request. All requests for introduction, when approved by the committee, shall be recorded in the minutes.";

On page 17, in line 6, by striking all after the first "considered" and inserting "and"; in line 7, by striking "to that section"; in line 10, by striking all after the first "considered" and inserting "and"; in line 11, by striking all after "order"; by striking all in line 12; in line 13, by striking all before the period; in line 15, by striking all after "considered"; by striking all in line 16; in line 17, by striking all before "A" and inserting a comma;

On page 24, in line 43, by striking all after "member";

On page 25, in line 1, by striking all after the first "taken"; in line 2, by striking "p.m."; in line 4, after the period by inserting "Such submission should also be submitted in electronic format to the chief clerk under the same time deadline.";

On page 32, in line 20, after the second period by inserting "(a)"; following line 22, by inserting:

"(b) When a committee recommends amendments to a bill that strike all of the material in the bill subsequent to the enacting clause and insert new material, the reprinted bill shall contain a notation specifying: (1) The committee that recommended the amendment or amendments; (2) the date the amendment or amendments were recommended; and (3) the bill number of the source bill or bills, if any, that included the inserted new material to the underlying bill pursuant to the amendment or amendments. Additionally, the source bill or bills shall be reprinted with a notation specifying the bill to which the material from the source bill was inserted pursuant to an amendment as described in this subsection.";

On page 33, in line 14, by striking all after "(b)"; by striking all in lines 15 through 21; in line 22, by striking "amendments" and inserting "when such amendments strike all of the material in the bill subsequent to the enacting clause and insert new material, such reprinted bill shall contain a notation specifying: (1) The member that offered the

amendment or amendments; (2) the date the amendment or amendments were recommended; and (3) the bill number of the source bill or bills, if any, that included the inserted new material to the underlying bill pursuant to the amendment or amendments. Additionally, the source bill or bills shall be reprinted with a notation specifying the bill to which the material from the source bill was inserted pursuant to an amendment as described in this subsection"; and the resolution be adopted as amended.

Committee on **Rules and Journal** recommends **HCR 5001** (Corrected) be amended on page 6, in line 37, after the stricken material by inserting "and on January 31, 2022, during the 2022 regular session"; in line 42, after the stricken material by inserting "and on February 9, 2022, during the 2022 regular session";

On page 7, in line 13, after the stricken material by inserting "and on February 7, 2022, during the 2022 regular session"; in line 23, after the stricken material by inserting "and on February 11, 2022, during the 2022 regular session"; in line 32, after the stricken material by inserting "and on February 24, 2022, during the 2022 regular session"; in line 41, after the stricken material by inserting "and on March 23, 2022, during the 2022 regular session";

On page 8, in line 25, after the stricken material by inserting "and after April 1, 2022, during the 2022 regular session";

On page 9, by striking all in lines 1 through 15; and the resolution be adopted as amended.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Thursday, January 21, 2021.

# Journal of the House

## EIGHTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, January 21, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 123 members present.

Reps. Ellis and Kessler were excused on excused absence by the Speaker.

Excused later: Rep. Weigel.

Prayer by Rep. Sawyer:

Dear Heavenly Father:

We thank you for this day that you have made.

We thank you for the opportunity to work in this beautiful building and to serve the people of Kansas.

We ask for your blessings on our work today, as we debate for the first time this session.

Please grant us the wisdom to create good laws for the people of Kansas.

Please give us the ability to debate civilly and with respect for each others views.

Please grant us the patience to work with each other, to wait on amendments and with the new voting system – Ahh the new voting system - please help us get through this with no major glitches.

We also ask for your blessings and guidance on the remainder of our meetings throughout the day.

Amen

The Pledge of Allegiance was led by Rep. Curtis.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

**HB 2085**, AN ACT concerning postsecondary education; creating the students' right to know act; relating to the publication of certain information regarding postsecondary education, by Committee on Education.

**HB 2086**, AN ACT concerning schools; relating to school districts and nonpublic schools; emergency medication kits for certain life-threatening conditions; requiring a prescription for distribution of emergency medication to schools; administration of emergency medication by school personnel, training; exempting certain persons from the practice of healing arts and civil liability if acting in good faith; amending K.S.A. 65-1680, 65-2872b and 72-6283 and repealing the existing sections, by Committee on Education.

**HB 2087**, AN ACT concerning administrative rules and regulations; relating to review by the director of the budget; amending K.S.A. 77-416, 77-420, 77-420a, 77-421 and 77-422 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2088**, AN ACT concerning children and minors; relating to procedures in investigations of child abuse or neglect; amending K.S.A. 2020 Supp. 38-2226 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2089**, AN ACT concerning firearms; relating to the personal and family protection act; authorizing the issuance of an alternative license during a declared state of disaster emergency; amending K.S.A. 75-7c03 and 75-7c05 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2090**, AN ACT concerning elected officials; relating to military service; vacancy in elected office; appointment of acting official; amending K.S.A. 73-213, 73-214, 73-215, 73-218 and 73-219 and repealing the existing sections, by Committee on Elections.

**HB 2091**, AN ACT concerning taxation; relating to income tax; providing a refundable food sales tax credit; discontinuing the nonrefundable food sales tax credit; amending K.S.A. 79-32,271 and repealing the existing section, by Committee on Taxation.

**HB 2092**, AN ACT concerning the Kansas offender registration act; relating to removal of drug offenders from registration requirements; removing enhanced penalty for multiple nonpayments; amending K.S.A. 2020 Supp. 22-4902, 22-4903, 22-4905, 22-4906 and 22-4909 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2093**, AN ACT concerning motor vehicles; relating to fleeing or attempting to elude a police officer; increasing penalties thereof when operating a stolen motor vehicle; relating to evidence of intent to deprive owner of property; amending K.S.A. 2020 Supp. 8-1568 and 21-5804 and repealing the existing sections, by Committee on Judiciary.

**HB 2094**, AN ACT establishing the wartime veteran and first responder survivors' grant program and fund; relating to the state board of regents; Kansas commission on veterans affairs office, by Committee on Appropriations.

**HB 2095**, AN ACT concerning the care and treatment act for mentally ill persons; relating to temporary custody orders; possession of a firearm; amending K.S.A. 59-2959 and K.S.A. 2020 Supp. 59-2966 and repealing the existing sections, by Committee on Judiciary.

**HB 2096**, AN ACT concerning the Kansas open records act; relating to exceptions to disclosure; public websites that identify home addresses or home ownership; restricting access to identifying information of employees of the department of corrections, local correctional officers or local detention officers, employees of the judicial branch, employees of a municipal court and administrative hearing officers; amending K.S.A.

2020 Supp. 45-221 and repealing the existing section, by Committee on Judiciary.

**HB 2097**, AN ACT concerning economic development; relating to the high performance incentive fund; workforce training program participation requirements; amending K.S.A. 74-50,133 and 79-32,160a and repealing the existing sections, by Representative Tarwater.

**HB 2098**, AN ACT concerning family law; relating to dissolution of marriage; change of name; allowing change to name other than former or maiden name; amending K.S.A. 2020 Supp. 23-2716 and repealing the existing section, by Committee on Judiciary.

**HB 2099**, AN ACT concerning the state board of tax appeals; hearings, permitting attendance at hearings by the use of audio or video electronic communication; amending K.S.A. 74-2433 and repealing the existing section, by Representative Rhiley.

**HB 2100**, AN ACT concerning roads and highways; designating a bridge on United States highway 166 as the SGT Tyler A Juden memorial bridge, by Representative Rhiley.

**HB 2101**, AN ACT concerning the university engineering initiative act; relating to goals; authorizing transfers from the expanded lottery act revenues fund for certain fiscal years; amending K.S.A. 74-8768 and 76-7,137 and repealing the existing sections, by Committee on Appropriations.

**HB 2102**, AN ACT concerning agriculture; relating to eggs; repackaging requirements for retailers; amending K.S.A. 2020 Supp. 2-2510 and repealing the existing section, by Committee on Agriculture.

**HB 2103**, AN ACT concerning agriculture; relating to environmental remediation; establishing the Kansas pesticide waste disposal program and the Kansas pesticide waste disposal fund; permitting annual transfers from the Kansas agricultural remediation fund to the Kansas pesticide waste disposal fund; amending K.S.A. 2-3702 and K.S.A. 2020 Supp. 2-3708 and repealing the existing sections, by Committee on Agriculture.

**HB 2104**, AN ACT concerning sales taxation; relating to exemptions; modifying the exemption for construction materials for educational institutions; amending K.S.A. 79-3606 and repealing the existing section, by Committee on Taxation.

**HB 2105**, AN ACT concerning income taxation; relating to withholding taxes; establishing withholding requirements for certain employees who work in multiple states; determination of employer penalties, by Committee on Taxation.

**HB 2106**, AN ACT concerning income taxation; relating to corporate tax returns; extending the dates when tax returns are required to be filed; amending K.S.A. 79-3221 and repealing the existing section, by Committee on Taxation.

**HB 2107**, AN ACT concerning funeral processions; relating to the regulation thereof; creating a violation for not yielding the right-of-way to funeral processions; amending K.S.A. 2020 Supp. 8-2118 and repealing the existing section; also repealing K.S.A. 2020 Supp. 8-2118c, by Representative Collins.

HOUSE CONCURRENT RESOLUTION No. **HCR 5006**—

By Committee on Judiciary

**HCR 5006**—A PROPOSITION to amend the constitution of the state of Kansas by revising article 3 thereof, relating to the judiciary.

*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 3 of the constitution of the state of Kansas is hereby revised to read as follows:

**"Article 3.—JUDICIAL**

**"§ 1. Judicial power; seals; rules.** The judicial power of this state shall be vested exclusively in one court of justice, which shall be divided into one supreme court, one court of appeals, district courts, and such other courts as are provided by law; and all courts of record shall have a seal. The supreme court shall have general administrative authority over all courts in this state.

**"§ 2. Supreme court.** The supreme court shall consist of not less than seven justices who shall be selected as provided by this article. All cases shall be heard with not fewer than four justices sitting and the concurrence of a majority of the justices sitting and of not fewer than four justices shall be necessary for a decision. The term of office of the justices shall be six years except as hereinafter provided. The justice who is senior in continuous term of service shall be chief justice, and in case two or more have continuously served during the same period the senior in age of these shall be chief justice. A justice may decline or resign from the office of chief justice without resigning from the court. Upon such declination or resignation, the justice who is next senior in continuous term of service shall become chief justice. During incapacity of a chief justice, the duties, powers and emoluments of the office shall devolve upon the justice who is next senior in continuous service.

**"§ 3. Jurisdiction and terms.** The supreme court shall have original jurisdiction in proceedings in quo warranto, mandamus, and habeas corpus; and such appellate jurisdiction as may be provided by law. It shall hold one term each year at the seat of government and such other terms at such places as may be provided by law, and its jurisdiction shall be co-extensive with the state.

**"§ 4. Reporter; clerk.** There shall be appointed, by the justices of the supreme court, a reporter and clerk of such court, who shall hold their offices two years, and whose duties shall be prescribed by law.

**"§ 5. Selection of justices of the supreme court.** (a) (1) Any vacancy occurring in the office of any justice of the supreme court and any position to be open thereon as a result of enlargement of the court, or the retirement or failure of an incumbent to file such justice's declaration of candidacy to be retained in office as hereinafter required, or failure of a justice to be elected to be retained in office, shall be filled by appointment by the governor of one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established as hereinafter provided.

(2) Whenever a vacancy occurs or will occur or a position opens on the supreme court, the clerk of the supreme court shall promptly give notice to the governor.

(3) In event of the failure of the governor to make the appointment within 60 days from the time the names of the nominees are submitted to the governor, the chief justice of the supreme court shall make the appointment from such nominees.

(4) Whenever a vacancy in the office of justice of the supreme court exists at the time the appointment to fill such vacancy is made pursuant to this section, the appointment shall be effective at the time it is made, but where an appointment is made pursuant to this section to fill a vacancy which will occur at a future date, such appointment shall not take effect until such date.

(b) (1) Each justice of the supreme court appointed pursuant to subsection (a) shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of 12 months in office.

(2) Not less than 60 days prior to the holding of the general election next preceding the expiration of such justice's term of office, any justice of the supreme court may file in the office of the secretary of state a declaration of candidacy for election to be retained in office. If a declaration is not so filed, the position held by such justice shall be open from the expiration of such justice's term of office. If such declaration is filed, such justice's name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows:

"Shall (Here insert name of justice.), Justice of the Supreme Court, be retained in office?"

(3) If a majority of those voting on the question vote against retaining such justice in office, the position or office which such justice holds shall be open upon the expiration of such justice's term of office; otherwise such justice shall, unless removed for cause, remain in office for the regular term of six years from the second Monday in January following such election. At the expiration of each term such justice shall, unless by law such justice is compelled to retire, be eligible for retention in office by election in the manner prescribed in this section.

(4) If a majority of those voting on the question vote against the justice's retention, the secretary of state, following the final canvass of votes on the question, shall certify the results to the clerk of the supreme court. Any such justice who has not been retained in office pursuant to this section shall not be eligible for nomination or appointment to the office of justice of the supreme court prior to the expiration of six years after the expiration of the justice's term of office.

(d) A nonpartisan nominating commission whose duty it shall be to nominate and submit to the governor the names of persons for appointment to fill vacancies in the office of any justice of the supreme court and any judge of the court of appeals is hereby established, and shall be known as the "supreme court nominating commission." The commission shall be organized as hereinafter provided.

(e) The supreme court nominating commission shall be composed as follows: One member, who shall be chairperson, chosen from among their number by the members of the bar who are residents of and licensed in Kansas;

one member from each congressional district chosen from among their number by the resident members of the bar in each such district; and one member, who is not a lawyer, from each congressional district, appointed by the governor from among the residents of each such district.

(f) The terms of office, the procedure for selection and certification of the members of the commission and provision for their compensation or expenses shall be as provided by the legislature.

(g) No member of the supreme court nominating commission shall, while a member, hold any other public office by appointment or any official position in a political party or for six months thereafter be eligible for nomination for the office of justice of the supreme court or judge of the court of appeals. The commission may act only by the concurrence of a majority of its members.

**"§ 6. Court of appeals.** (a) (1) The court of appeals shall consist of not less than 14 judges. Any vacancy occurring in the office of any judge of the court of appeals and any position to be open on the court of appeals as a result of enlargement of such court, or the retirement or failure of an incumbent to file such judge's declaration of candidacy to be retained in office as hereinafter required, or failure of a judge to be elected to be retained in office, shall be filled by appointment by the governor of one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established by section 5 of this article.

(2) Whenever a vacancy occurs or will occur or a position opens on the court of appeals, the clerk of the supreme court shall promptly give notice to the governor.

(3) In event of the failure of the governor to make the appointment within 60 days from the time the names of the nominees are submitted to the governor, the chief justice of the supreme court shall make the appointment from such nominees.

(4) Whenever a vacancy in the office of judge of the court of appeals exists at the time the appointment to fill such vacancy is made pursuant to this section, the appointment shall be effective at the time it is made, but where an appointment is made pursuant to this section to fill a vacancy which will occur at a future date, such appointment shall not take effect until such date.

(b) (1) Each judge of the court of appeals appointed pursuant to subsection (a) shall hold office for an initial term ending on the second Monday in January following the first general election that occurs after the expiration of 12 months in office.

(2) Not less than 60 days prior to the holding of the general election next preceding the expiration of such judge's term of office, any judge of the court of appeals may file in the office of the secretary of state a declaration of candidacy for election to be retained in office. If a declaration is not so filed, the position held by such judge shall be open from the expiration of such judge's term of office. If such declaration is filed, such judge's name shall be submitted at the next general election to the electors of the state on a separate judicial ballot, without party designation, reading substantially as follows:

"Shall (Here insert name of judge.), Judge of the Court of Appeals, be retained in office?"

(3) If a majority of those voting on the question vote against retaining such judge in office, the position or office which such judge holds shall be open upon the expiration of such judge's term of office; otherwise such judge shall, unless removed for cause, remain in office for the regular term of four years from the second Monday in January following such election. At the expiration of each term such judge shall, unless by law such judge is compelled to retire, be eligible for retention in office by election in the manner prescribed in this section.

(4) If a majority of those voting on the question vote against the judge's retention, the secretary of state, following the final canvass of votes on the question, shall certify the results to the clerk of the supreme court. Any such judge who has not been retained in office pursuant to this section shall not be eligible for nomination or appointment to the office of judge of the court of appeals prior to the expiration of four years after the expiration of the judge's term of office.

(c) The supreme court may assign a judge of the court of appeals to serve temporarily on the supreme court.

**"§ 7. District courts.** (a) The state shall be divided into judicial districts as provided by law. Each judicial district shall have at least one district judge. The term of office of each judge of the district court shall be four years. District court shall be held at such times and places as may be provided by law. The district judges shall be elected by the electors of the respective judicial districts unless the electors of a judicial district have adopted and not subsequently rejected a method of nonpartisan selection. The legislature shall provide a method of nonpartisan selection of district judges and for the manner of submission and resubmission thereof to the electors of a judicial district. A nonpartisan method of selection of district judges may be adopted, and once adopted may be rejected, only by a majority of electors of a judicial district voting on the question at an election in which the proposition is submitted. Whenever a vacancy occurs in the office of district judge, it shall be filled by appointment by the governor until the next general election that occurs more than 30 days after such vacancy, or as may be provided by such nonpartisan method of selection.

(b) The district courts shall have such jurisdiction in their respective districts as may be provided by law.

(c) The legislature shall provide for clerks of the district courts.

(d) Provision may be made by law for judges pro tem of the district court.

(e) The supreme court or any justice thereof shall have the power to assign judges of district courts temporarily to other districts.

(f) The supreme court may assign a district judge to serve temporarily on the supreme court.

(g) The supreme court or the court of appeals may assign a district judge to serve temporarily on the court of appeals.

**"§ 8. Qualifications of justices and judges.** Justices of the supreme

court, judges of the court of appeals and judges of the district courts shall be at least 30 years of age and shall be duly authorized by the supreme court of Kansas to practice law in the courts of this state and shall possess such other qualifications as may be prescribed by law.

**"§ 9. Prohibition of political activity by justices and certain judges.** No justice of the supreme court who is appointed or retained under the procedure of section 5 of this article, nor any judge of the court of appeals who is appointed or retained under the procedure of section 6 of this article, nor any judge of the district court holding office under a nonpartisan method authorized in subsection (a) of section 7 of this article, shall directly or indirectly make any contribution to or hold any office in a political party or organization or take part in any political campaign.

**"§ 10. Extension of terms until successor qualified.** All judicial officers shall hold their offices until their successors shall have qualified.

**"§ 11. Compensation of justices and judges; certain limitation.** The justices of the supreme court, judges of the court of appeals and judges of the district courts shall receive for their services such compensation as may be provided by law, which shall not be diminished during their terms of office, unless by general law applicable to all salaried officers of the state. Such justices or judges shall receive no fees or perquisites nor hold any other office of profit or trust under the authority of the state, or the United States, except as may be provided by law, or practice law during their continuance in office.

**"§ 12. Removal of justices and judges.** Justices of the supreme court may be removed from office by impeachment and conviction as prescribed in article 2 of this constitution. In addition to removal by impeachment and conviction, justices may be retired after appropriate hearing, upon certification to the governor, by the supreme court that such justice is so incapacitated as to be unable to perform adequately such justice's duties. Other judges shall be subject to retirement for incapacity, and to discipline, suspension and removal for cause by the supreme court after appropriate hearing.

**"§ 13. Savings clause.** Nothing contained in this amendment to the constitution shall: (a) Shorten the term of office or abolish the office of any justice of the supreme court, any judge of the court of appeals, any judge of the district court, or any other judge of any other court who is holding office at the time this amendment becomes effective, or who is holding office at the time of adoption, rejection, or resubmission of a nonpartisan method of selection of district judges as provided in subsection (a) of section 7 of this article, and all such justices and judges shall hold their respective offices for the terms for which elected or appointed unless sooner removed in the manner provided by law; or (b) repeal any statute of this state relating to the supreme court, the supreme court nominating commission, the court of appeals, district courts, or any other court, or relating to the justices or judges of such courts, and such statutes shall remain in force and effect until amended or repealed by the legislature.

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

*"Explanatory statement.* The purpose of this amendment is to place the law concerning the court of appeals into the constitution and change the nomination and appointment process for judges of the court of appeals. This amendment would continue in effect the current provisions of Article 3 of the Kansas Constitution, including the provisions requiring the supreme court nominating commission to nominate and submit to the governor the names of three persons for appointment to fill any vacancy in the office of any justice of the supreme court and requiring the governor to appoint one of such persons. This amendment would change the nomination and appointment process for the office of judge of the court of appeals by requiring the supreme court nominating commission to nominate and submit to the governor the names of three persons for appointment to fill any vacancy in the office of any judge of the court of appeals and requiring the governor to appoint one of such persons.

"A vote for this proposition would place the law concerning the court of appeals into the constitution. The supreme court nominating commission would nominate and submit to the governor the names of three persons for appointment to fill any vacancy in the office of any judge of the court of appeals and the governor would appoint one of such persons. The supreme court nominating commission would continue to nominate and submit to the governor the names of three persons for appointment to fill any vacancy in the office of any justice of the supreme court and the governor would appoint one of such persons.

"A vote against this proposition would leave the law concerning the court of appeals in the Kansas statutes and continue in effect the current nomination and appointment process in which judges of the court of appeals are appointed by the governor, with the consent of the senate. The supreme court nominating commission would continue to nominate and submit to the governor the names of three persons for appointment to fill any vacancy in the office of any justice of the supreme court and the governor would appoint one of such persons."

Sec. 3. This resolution, if approved by 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 shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2022, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

#### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2081, HB 2083, HB 2084.**

Judiciary: **HB 2078, HB 2079, HB 2080, HB 2082.**

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole with Rep. Proehl in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Proehl, Committee of the Whole report, as follows, was adopted:  
Recommended that **SB 14** be passed.

Committee report to **HR 6004** be adopted.

Also, on motion of Rep. Rhiley to amend, the motion did not prevail.

Also, on motion of Rep. B.Carpenter, **HR 6004** be amended on page 36, in line 5, after the period by inserting "The Majority Whip may send electronic communications to all members of the majority party regarding relevant information on matters under consideration on the House floor. The Minority Whip may send electronic communications to all members of the minority party regarding relevant information on matters under consideration on the House floor. Any such electronic communications sent by the Majority Whip or Minority Whip shall not have an interactive communication function for caucus members to communicate with each other at once, including, but not limited to, a chat room or text messaging. If a caucus member responds to any such communication, no other caucus member shall receive such communication other than the Majority Whip or Minority Whip."

Also, on motion of Rep. Probst to amend, the motion did not prevail.

Also, roll call was demanded on handwritten motion of Rep. Parker to amend **HR 6004**, as amended by House Committee, on page 5, following line 36, by inserting:

**"Rule 508. Masks.** Every member shall wear a mask over their mouth and nose while present in the chamber.";

On page 12, in line 43, after the period by inserting "Every member shall wear a mask over their mouth and nose during committee meetings while the member is physically present."

On roll call the vote was was: Yeas 46; Nays 75; Present but not voting: 1; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Concannon, Curtis, Day, Eplee, Featherston, Finney, Gartner, Haswood, Helgeson, Henderson, Highberger, Hoye, Jennings, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ralph, Ruiz, L., Ruiz, S., Samsel, Sawyer, Schreiber, Smith, C., Stogsdill, Vaughn, Victors, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Averkamp, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, Carpenter, B., Carpenter, W., Clark, Collins, Corbet, Croft, Delperdang, Dodson, Donohoe, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Huebert, Humphries, Jacobs, Johnson, S., Johnson, T., Kelly, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Resman, Rhiley, Ryckman, Sanders, Seiwert, Smith, A., Smith, E., Sutton, Tarwater, Thomas, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, Williams.

Present: Thompson.

Absent or not voting: Ellis, Kessler, Weigel.

The motion did not prevail.

Also, on motion of Rep. Ousley to amend, the motion did not prevail and the resolution be adopted as amended.

Committee report to **HCR 5001** be adopted; and the House Concurrent Resolution be adopted as amended.

## INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hawkins pursuant to House Rule 2311, **SB 14**, **HR 6004** and **HCR 5001** were advanced to Final Action on Bills and Concurrent Resolutions.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, Carpenter, B., Carpenter, W., Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, Donohoe, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, Johnson, S., Johnson, T., Kelly, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Wheeler, Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: none.

Absent or not voting: Ellis, Kessler, Weigel.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HR 6004**, A RESOLUTION adopting permanent rules of the House of Representatives for the 2021-2022 biennium, was considered on final action.

On roll call, the vote was: Yeas 110; Nays 12; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Byers, Carlin, Carlson, Carmichael, B. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howard, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E.,

Stogsdill, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burroughs, W. Carpenter, Fairchild, Garber, Helgerson, Helmer, Houser, Jacobs, Lee-Hahn, Murphy, Rhiley, Sutton.

Present but not voting: None.

Absent or not voting: Ellis, Kessler, Weigel.

The resolution was adopted, as amended.

#### EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **HR 6004**. As a newly elected representative, I'm disappointed that my constituents can't be fairly heard in the house they paid for, the people's house. I'm disappointed that the public has no access to observe the proceedings on the house floor. The first amendment states that the people have the right to petition the government for a redress of grievances and observe the process to hold their representatives accountable, and I believe that needs to apply even during a pandemic. - TATUM LEE-HAHN, BRETT FAIRCHILD, MICHAEL MURPHY, MICHAEL HOUSER, BILL RHILEY.

**HCR 5001**, A CONCURRENT RESOLUTION adopting joint rules for the Senate and House of Representatives for the 2021-2022 biennium, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 5; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Byers, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Bishop, Burroughs, Carlin, Carmichael, Helgerson.

Present but not voting: None.

Absent or not voting: Ellis, Kessler, Weigel.

The resolution was adopted, as amended.

**SB 14**, AN ACT concerning governmental response to the COVID-19 pandemic in Kansas; providing certain relief related to health, welfare, property and economic security during this public health emergency; relating to the state of disaster emergency; powers of the governor and executive officers; providing certain limitations and restrictions; authorizing the temporary sale of alcoholic liquor for consumption off of certain licensed premises; authorizing the expanded use of telemedicine in response to

the COVID-19 public health emergency and imposing requirements related thereto; suspending certain requirements related to medical care facilities and expiring such provisions; providing for temporary suspension of certain healthcare professional licensing and practice requirements; delegation and supervision requirements; conditions of licensure and renewal and reinstatement of licensure; relating to limitations on business liability associated with the COVID-19 public health emergency; amending K.S.A. 2019 Supp. 48-925, as amended by section 34 of chapter 1 of the 2020 Special Session Laws of Kansas and 48-925, as amended by section 34 of chapter 1 of the 2020 Special Session Laws of Kansas, as amended by section 4 of this act, and K.S.A. 2020 Supp. 41-2653, 48-924, 48-924b, 48-925a, 48-963, 48-965, 48-966 and 60-5504 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 3; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Bishop, Burroughs, French.

Present but not voting: None.

Absent or not voting: Ellis, Kessler, Weigel.

The bill passed.

## REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HCR 5003** be adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2108**, AN ACT concerning the department of health and environment; relating to the study and investigation of maternal deaths in the state of Kansas; amending K.S.A. 65-177 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2109**, AN ACT concerning the board of indigents' defense services; relating to appointments to the board; increasing population threshold of a county required to have a lawyer member; increasing number of lawyer members; decreasing number of non-lawyer members; amending K.S.A. 22-4519 and repealing the existing section, by

Committee on Judiciary.

**HB 2110**, AN ACT concerning insurance; relating to the state employees health care commission; mandating coverage for pediatric acute-onset neuropsychiatric syndrome (PANS) and pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS); requiring submission of an impact report to the legislature, by Committee on Insurance and Pensions.

**HB 2111**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; affiliation and membership of certain security officers of the department of corrections in the Kansas police and firemen's retirement system; providing for employee and employer contributions, by Committee on Insurance and Pensions.

**HB 2112**, AN ACT concerning self-storage rental units; relating to sales by operators of property due to abandonment or nonpayment of rent; occupant's designation of alternate contact; contractual value of property; amending K.S.A. 58-816 and K.S.A. 2020 Supp. 58-817 and repealing the existing sections, by Representative Tarwater.

#### **CHANGE OF REFERENCE**

Speaker Ryckman announced the withdrawal of **HB 2025** from Committee on Agriculture and referred to Committee on Federal and State Affairs.

On motion of Rep. Hawkins, the House recessed until 4:30 p.m.

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The House met pursuant to recess with Speaker pro tem Finch in the chair.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6001, HR 6002, HR 6003** reported correctly enrolled and properly signed on January 21, 2021.

On motion of Rep. Hoffman, the House adjourned until 8:30 a.m., Friday, January 22, 2021.

# Journal of the House

## NINTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, January 22, 2021, 8:30 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 124 members present.  
Rep. Weigel was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker,

Gracious and loving God,  
we come before you today  
grateful for your blessings.  
Already, early in this session there are  
difficult decisions to be made.  
We are reminded that Your Word encourages us to  
“...approach *Your* throne with grace and confidence,  
so that we may receive mercy and find grace  
to help us in our time of need.”  
Your Word also instructs us that  
“if *anyone* lacks wisdom, *they* should ask God,  
who gives generously to all without finding fault,  
and it will be given to *them*.”  
So, we boldly come to You today asking for your  
mercy, grace, wisdom, guidance and direction.  
I ask this in Christ’s Name, Amen.  
(Hebrews 4:16, James 1:5)

The Pledge of Allegiance was led by Rep. Esau.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

**HB 2113**, AN ACT concerning the governor's office; establishing the advisory commission on Asian-American Pacific Islander affairs; composition thereof; appointment of members; powers and duties, by Representative Xu.

**HB 2114**, AN ACT concerning the legislature; establishing the Kansas senior care task force; prescribing topics of study; membership; meeting requirements; records; report, by Committee on Children and Seniors.

**HB 2115**, AN ACT concerning the legislature; relating to children and minors; the safety and well-being of children in the child welfare system in the state of Kansas; establishing the joint committee on child welfare system oversight; prescribing duties and membership thereof; requiring an annual report to the legislature, by Committee on Children and Seniors.

**HB 2116**, AN ACT concerning children and minors; relating to child care assistance eligibility and requirements; exempting certain adults from the 20-hour-per-week work requirement; amending K.S.A. 2020 Supp. 39-709 and repealing the existing section, by Committee on Children and Seniors.

**HB 2117**, AN ACT concerning taxation; relating to income tax, rates; sales and compensating use tax, providing for sales tax exemptions for food and food ingredients and feminine hygiene products, authorizing local sales tax on food and food ingredients; amending K.S.A. 79-32,110, 79-3602 and 79-3606 and K.S.A. 2020 Supp. 12-189a and repealing the existing sections, by Representative Highberger.

**HB 2118**, AN ACT concerning campaign finance; relating to political advertisements; amending K.S.A. 2020 Supp. 25-4156 and repealing the existing section, by Committee on Elections.

HOUSE CONCURRENT RESOLUTION No. **HCR 5007**—

By Representatives Fairchild and Collins

**HCR 5007**—A PROPOSITION to amend article 14 of the constitution of the state of Kansas by adding a new section thereto; relating to the powers of initiative and referendum.

*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 14 of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

**"§ 3. Initiative and referendum powers.** (a) (1) The people reserve the power to propose and enact or reject amendments to this constitution by initiative, independent of the legislature.

(2) An initiative amendment to this constitution may be proposed only by a petition signed by not less than 10% of the qualified electors who voted in the last preceding gubernatorial election.

(3) An initiative petition shall be filed with the secretary of state not less than 120 days prior to the election at which the proposed amendment is to be voted upon and not more than 360 days after such petition was approved pursuant to subsection (d).

(4) An initiative petition shall include the full text of the proposed amendment to this constitution. A proposed amendment shall not contain more than one subject, and the enacting clause thereof shall be "Be it resolved by the people of the State of Kansas:".

(5) The title of each proposed amendment to this constitution shall be specified in the initiative petition and shall be a brief nontechnical statement expressing the intent or purpose of the proposed amendment and the effect of a vote for and a vote against the proposed amendment.

(6) When more than one proposed amendment to this constitution is submitted at the same election, such proposed amendments shall be so submitted as to enable the electors to vote on each proposed amendment separately.

(7) One amendment to this constitution may revise any entire article, except the article on general provisions, and in revising any article, the article may be renumbered and all or parts of other articles may be amended, or amended and transferred to the article being revised.

(8) Not more than five amendments proposed by initiative shall be submitted at the same election.

(b) (1) Notwithstanding the provisions of section 1 of article 2 of this constitution, the people reserve the power to propose and enact or reject laws by initiative, independent of the legislature.

(2) An initiative law may be proposed only by a petition signed by not less than 5% of the qualified electors who voted in the last preceding gubernatorial election.

(3) An initiative petition shall be filed with the secretary of state not less than 120 days before the election at which the proposed law is to be voted upon and not more than 360 days after such petition was approved pursuant to subsection (d).

(4) An initiative petition shall include the full text of the proposed law. A proposed law shall not contain more than one subject, and the enacting clause thereof shall be "Be it enacted by the people of the State of Kansas:".

(5) The title of each proposed law shall be specified in the initiative petition and shall be a brief nontechnical statement expressing the intent or purpose of the proposed law and the effect of a vote for and a vote against the proposed law.

(6) When more than one proposed law is submitted at the same election, such proposed law shall be so submitted as to enable the electors to vote on each proposed law separately.

(7) An initiative petition that requires the appropriation of moneys shall only require the appropriation of moneys directly attributable to revenues collected pursuant to the provisions of the petition, and the purpose of such appropriation shall not otherwise be prohibited by this constitution.

(c) (1) The people reserve the power to approve or reject by referendum any bill enacted by the legislature, except as otherwise provided in this subsection.

(2) A referendum on a bill, or any part thereof, may be ordered by a petition signed by not less than 5% of the qualified electors who voted in the last preceding gubernatorial election.

(3) A referendum petition shall be filed with the secretary of state not more than 120 days after the final adjournment of the session of the legislature at which the bill was passed.

(4) A referendum petition shall not be allowed on any part of a bill:

(A) Necessary for the immediate preservation of the public peace, health or safety; or

(B) making or repealing any appropriation of moneys.

(5) A referendum ordered by petition on a part of a bill shall not delay the remainder of the bill from becoming effective.

(6) A referendum on a bill may be ordered by the legislature by law.

(7) Notwithstanding section 14 of article 2 of this constitution, a bill ordering a referendum and a bill on which a referendum is ordered shall not require the signature of the governor or be subject to veto by the governor.

(d) (1) Before an initiative or referendum petition may be circulated for signatures, a draft of such petition shall be submitted to the secretary of state in the form in which such petition will be circulated for signatures. Upon submission of a draft petition to the secretary of state, the name and address of an individual shall be provided to the secretary of state as the individual to whom any notices shall be sent. The secretary of state shall transmit a copy of the draft petition to the attorney general for review. The secretary of state and the attorney general shall each review the draft petition for sufficiency as to form, approve or reject the form of the draft petition and state the reasons for rejection, if any.

(2) Upon receipt of a draft petition from the secretary of state, the attorney general shall examine the draft petition as to form. The attorney general shall send notice of approval or rejection of the draft petition to the secretary of state within 10 days after receipt of the draft petition.

(3) The secretary of state shall review the notice of approval or rejection of the attorney general and make a final decision as to the approval or rejection of the form of the draft petition. The secretary of state shall send written notice of such approval or rejection, including the reasons for rejection, to the individual designated to receive notices within 30 days after submission of the draft petition.

(e) All elections on initiative and referendum measures shall be held at the regular general elections in even-numbered years, unless otherwise ordered by the legislature pursuant to subsection (c)(6).

(f) Notwithstanding any provision of this constitution to the contrary, an initiative or referendum measure shall become effective 30 days after the day on which it is enacted or approved by a majority of the votes cast thereon. When conflicting measures are approved at the same election, the one receiving the largest affirmative vote shall prevail.

(g) The provisions of this section shall be self-executing, but legislation may be enacted to facilitate its implementation."

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

*"Explanatory statement.* This amendment would allow the people to propose and enact or reject amendments to the constitution of the state of Kansas by initiative, independent of the legislature. This amendment would also allow the people to propose and enact or reject laws by initiative, independent of the legislature. Finally, this amendment would allow a referendum on any bill

enacted by the legislature, either by petition from the people or by order of the legislature by law. A referendum petition would not be allowed on any part of a bill necessary for the immediate preservation of the public peace, health or safety or any part of a bill making or repealing any appropriation.

"A vote for this proposition would reserve to the people the power to propose and enact or reject laws and amendments to the constitution of the state of Kansas by initiative, independent of the legislature, and the power to approve or reject by referendum any bill enacted by the legislature.

"A vote against this proposition would not make any changes to the constitution and would not reserve the powers of initiative and referendum to the people."

Sec. 3. This resolution, if approved by 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 shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2022, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

#### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills and concurrent resolution were referred to committees as indicated:

Agriculture: **HB 2102, HB 2103.**

Appropriations: **HB 2094, HB 2101.**

Commerce, Labor and Economic Development: **HB 2097, HB 2112.**

Corrections and Juvenile Justice: **HB 2092.**

Education: **HB 2085, HB 2086.**

Elections: **HB 2090.**

Federal and State Affairs: **HB 2087, HB 2088, HB 2089, HB 2108.**

Insurance and Pensions: **HB 2110, HB 2111.**

Judiciary: **HB 2093, HB 2095, HB 2096, HB 2098, HB 2099, HB 2109, HCR 5006.**

Local Government: **HB 2100.**

Taxation: **HB 2091, HB 2099, HB 2104, HB 2105, HB 2106.**

Transportation: **HB 2100, HB 2107.**

#### **COMMUNICATIONS FROM STATE OFFICERS**

From the Office of Governor Laura Kelly:

Executive Directive No. 21-529, Authorizing Expenditure of Federal Funds.

From: Elaine Frisbie, Kansas Board of Regents, in accordance with KSA 76-717, the 2020 Report on Exceptions to the Minimum Admission Standards at State Universities.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

## INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hawkins, **HCR 5003** was advanced to Final Action on Bills and Concurrent Resolutions, subject to amendment and debate.

## INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hawkins, pursuant to House Rule 2311, House Rule 1704, Violation of Rules While Speaking, be suspended for the purpose of allowing designated members to speak more than twice on **HCR 5003**, those members being: Rep. Humphries and Rep. Clayton.

Roll call was demanded on motion of Rep. Probst to amend **HCR 5003** on page 2, in line 20, by striking all after "at"; by striking all in lines 21 and 22; in line 23, by striking all before the period and inserting "the general election in the year 2022"

On roll call, the vote was: Yeas 40; Nays 84; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Donohoe, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Houser, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Averkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Howard, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Present but not voting: None.

Absent or not voting: Weigel.

The motion of Rep. Probst did not prevail.

Also, on motion of Rep. Carmichael to amend **HCR 5003**, Rep. Arnberger requested a ruling on the amendment being germane to the resolution. The Rules Chair ruled the amendment not germane.

Rep. Carmichael challenged the ruling of the Rules Chair, the question being "Shall the Rules Chair be sustained?" The Rules Chair was sustained.

Also, roll call was demanded on motion of Rep. Ballard to amend **HCR 5003** on page 1, in line 22, by striking "and" and inserting ". The constitution of the state of Kansas"; in line 23, after "abortion" by inserting ", except for circumstances of pregnancy resulting from rape or incest or circumstances where the mother's life is in danger"; in line 26, by striking all after "abortion"; by striking all in lines 27 and 28; in

line 29, by striking all before the period; in line 34, after the first "abortion" by inserting ", except in the case of rape, incest or circumstances where the mother's life is in danger,";

On page 2, in line 1, by striking all after "abortion"; by striking all in line 2; in line 3, by striking all before the period; in line 5, after "abortion" by inserting ", except in the case of rape, incest or circumstances where the mother's life is in danger."

On roll call, the vote was: Yeas 38; Nays 86; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Present but not voting: None.

Absent or not voting: Weigel.

The motion of Rep. Ballard did not prevail.

Also, on motion of Rep. Miller to amend **HCR 5003**, the motion did not prevail.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HCR 5003**, A PROPOSITION to amend the bill of rights of the constitution of the state of Kansas by adding a new section thereto stating that there is no constitutional right to abortion, and reserving to the people the ability to regulate abortion through the elected members of the legislature of the state of Kansas, was considered on final action.

On roll call, the vote was: Yeas 86; Nays 38; Present but not voting: 0; Absent or not voting: 1.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Weigel.

The resolution was adopted.

#### EXPLANATIONS OF VOTE

MISTER SPEAKER: While the outcome of today's debate is not surprising, the path to which the Majority achieved the result are disappointing. Just eleven days ago, the People's House of Representatives stood here and swore an oath to the Kansas Constitution. Today, we are here re-writing it because of a disagreement with a co-equal branch of government.

Unlike today's resolution which does nothing to prevent unplanned pregnancies, I hope you will advance legislation that is proven to prevent unexpected pregnancies: expanding Medicaid, investing in mental health, universal coverage of contraception, and comprehensive, age-appropriate sexual education. I vote NO on **HCR 5003**. – BRANDON WOODARD

MR. SPEAKER: I vote no on **House Concurrent Resolution 5003** because a constitutional right should not be subject to a popular vote. That is why it is called a right. – ELIZABETH BISHOP

MR. SPEAKER: I vote NO on **HCR 5003** because I trust women.--BOOG HIGHBERGER, JOHN CARMICHAEL, JARROD OUSLEY

MR. SPEAKER: I vote no on **House Concurrent Resolution 5003**. Individuals in the United States and Kansas have the right to a safe, legal abortion. A popular vote on this right risks medically unnecessary restrictions on healthcare that could leave doctors wasting time determining whether the best method to save a life violates the law. Lawmakers shouldn't interfere between physicians and their patients. Our role is to protect the safety of patients by ensuring that the practice of medicine is well regulated and improve access to prenatal and postpartum care. We must not deprive Kansans of the Constitutional right to personal autonomy by unjustly singling out abortion. - Jo ELLA HOYE, JIM GARTNER, JERRY STOGSDILL, MIKE AMYX, KC OHAEBOSIM, RUI XU, JOHN ALCALA, CINDY NEIGHBOR, L. E. RUIZ, GAIL FINNEY

MR. SPEAKER: AS a clinical social worker, I must defend human rights. This does not only mean the rights of men. This amendment will strip away women's reproductive rights and everyone knows it. This is nothing but a political move. I know that to be true because of the hypocrisy I have witnessed since we began this session. The President of the Senate spoke about "individual rights" when deciding to wear a mask. I sit in the gallery where many refuse to wear a mask but voted "yes" to this amendment. I guess "individual rights" doesn't apply to women. If that is hypocrisy, I don't know what is. – SUSAN RUIZ

MR. SPEAKER: I vote no on **House Concurrent Resolution 5003**. As a mother and a person of faith, I know the value of life. This bill doesn't end abortion. It ends safe, state regulated abortions. This endangers pregnant people's lives. If we really want to end abortion, we need to address violence against those that can become pregnant and access to appropriate and affordable health care. Additionally, this bill discriminates against pregnant people by limiting their ability to receive complete medical care. I do not vote for discriminate. – LINDA FEATHERSTON

MR. SPEAKER, I vote yes on **HCR 5003**. I believe the Value Them Both Amendment is a step in the right direction, since it would get the Kansas Supreme Court out of the abortion issue. However, I believe that we should do far more. I don't believe that those of us who are pro life should be content with simply regulating abortion. Rather, our goal should be to abolish abortion entirely. That's what I'll continue to push for over the next two years. – BRETT FAIRCHILD, MICHAEL MURPHY, TATUM LEE-HAHN, DAVID W. FRENCH

MR. SPEAKER, I vote no on **House Concurrent Resolution 5003**. As the mom of seven children, I will not vote for a DEATH SENTENCE for any of my daughters or daughters-in-law who might tragically develop a life-threatening condition during pregnancy. Nor would I strip my granddaughters' parents of their right to make decisions regarding these girls' well-being should, God forbid, the horror of a rape also result in the trauma of a childhood pregnancy. Like the majority of my constituents, I don't believe legislators or voters should insert themselves into the physician-patient relationship. Instead, I support evidence-based best practices that are proven to reduce abortion rates.–MARI-LYNN POSKIN

MR. SPEAKER, I vote no on **HCR 5003**, for the following: I am looking forward to perhaps working on legislation that provides the funding for education and care for the reproductive rights of the citizens of Kansas. I would prefer to live in a state, and in a country, where reproductive decisions are mine, and mine alone to make. I have a right to these choices. I will be defending that right for myself and others by voting no on this bill today. – JENNIFER DAY, LINDSAY VAUGHN, BRODERICK HENDERSON

MR. SPEAKER, I proudly cast my vote in the Affirmative on **HCR 5003**. The Kansas Supreme Courts 2019 Hodes decision was an odious denial of justice for the unborn. Any appeal to 'personal autonomy' that facilitates the death of another human being is invalid and inhumane. Any court ruling that will lead to taxpayers of all persuasions having to fund abortion through their tax money is deeply immoral. To merely return Kansas abortion law to where it was in 2018 is, frankly, the least we could do. Strict scrutiny? I say let the voters of 2022 scrutinize the legal and moral irrationality of the Kansas Supreme Court! – PAUL WAGGONER, BILL RHILEY

MR. SPEAKER: I vote NO on **HCR 5003**. As a distinctly unique individual in this chamber, as one who has been blessed to seeing life through a man's eyes, but with a woman's heart, I believe that people who can become pregnant should have the right to personal body autonomy. For these reasons, I vote NO. – STEPHANIE BYERS

MR. SPEAKER: I vote no on **House Concurrent Resolution 5003**. This bill is too extreme for Kansas. Stripping the rights of bodily autonomy is an all-out attack on women with no exceptions for the horrors of rape, incest, or saving the life of the mother. Furthermore, putting this constitutional amendment on the August ballot will absolutely deny the rights of ALL Kansans to voice their opinion. This is purely a political maneuver by Republicans to refuse women their rights to make their own decisions. These very personal and private decisions ought to be between a woman, her doctor, and God. - TOM SAWYER, SYDNEY CARLIN

Mr. Speaker: I vote yes, because I trust women and men in Kansas to make the decision if there is a right to abortion in the Kansas Constitution. The Constitution, by the way, that was ratified by a vote of the citizens of Kansas. If we sit idly by, women and babies will be harmed. I trust that Kansans want to protect the rights of all women in Kansas – born and unborn women. Give them that choice. – SUSAN HUMPHRIES, KRISTEY WILLIAMS, BRENDA LANDWEHR, SUSAN ESTES, BARBARA WASINGER

MR. SPEAKER: I vote no on **HCR 5003**. This resolution goes out of its way to say to pregnant Kansans whose lives are in danger that the members of this legislature reserve the right to deny them lifesaving care. It does so in support of so called “protections” previously passed. I place the lives of pregnant Kansans ahead of condescending font size mandates. Mr. Speaker, I vote no. – BRETT PARKER

MR. SPEAKER: I vote, "Yes" on HCR 5003. The rights that have been given to us by our Creator God are meant to be defended and honored for the prosperity and protection of future generations. This should assure us that the people of Kansas who enjoy and possess equal and inalienable natural rights such as Life, Liberty, and the pursuit of Happiness, should be upheld and defended by this Legislative body through the "Value Them Both Amendment." The will and voices of Kansans should be heard as they make the choice for themselves who will represent the values, they have personally placed upon their owns lives. – TREVOR JACOBS

MR. SPEAKER: I vote no today on **HCR 5003**. This language grants too great a power to the legislature, under the pretense of allowing Kansans to vote. Yet the question is placed on an August primary, when turnout historically is less than half of most general elections. By doing so, the majority party is in effect disenfranchising more than 550,000 unaffiliated voters in its attempt to amass unchecked power through a small and select group of voters. A compromise resolution crafted in good faith and offered in a general election in the only acceptable way to significantly alter the constitution. –JASON PROBST

MR. SPEAKER: I vote Yes on **HCR 5003**. Working toward passage of “Value Them Both” was the initial reason I ran for the House of Representatives. Providing Kansas citizens the opportunity to affirm a fundamental right to life for all Kansans through the Value Them Both Amendment to the Kansas Constitution reflects legislative prudence

and fulfills an obligation we have to our constituents. Kansans have the right to decide. Passage of “Value Them Both” assures that the governance of life issues remains in the hands of the citizens of our great state. I am privileged to cast my vote in favor of “Value Them Both.” – LISA M. MOSER

MR. SPEAKER: I vote YES on **HCR 5003**. The right to life is the preeminent of all rights. Without life, no (other) right can be exercised or enjoyed. Section 1 of the Kansas Constitution's Bill of Rights, in which “life” is the first of the expressly enumerated “equal and inalienable natural rights,” recognizes this. I will support the natural and fundamental right to “life” which Section 1 of our Bill of Rights broadly protects. —JESSE BURRIS

MR. SPEAKER – I vote yes to protect human life in Kansas which has been endangered by an errant "finding" by our state supreme court. Their decision attempts to redefine the words right to life to mean a "right to kill life". Now the people will have a chance to once again protect the inalienable right to life in our Constitution. – JOHN TOPLIKAR

MR. SPEAKER: I vote no on House Concurrent Resolution 5003. My district is home to many smart young individuals who have a uterus. As one of those young individuals I must speak on their behalf. Our rights should not be put on a ballot, we are smart enough to make decisions that impact our future, and we should continue to have that choice as a constitutional right. Many young individuals who are of childbearing capabilities will not get a chance to vote come to this being on the 2022 ballot. I stand by my constituents and their futures and vote no to **HCR 5003**. – CHRISTINA HASWOOD

MR. SPEAKER: I vote yes today for **HCR 5003**. I stand for the protection of all Kansans, both standing and those not yet born. That is my sworn duty as a member of this body. I will not waiver. Thank you, Mr. Speaker. – EMIL BERGQUIST

MR. SPEAKER: I voted yes on **HCR 5003**. This was a question of what the words of the constitution mean. The question was brought about by a court decision. It is not the courts constitution nor the legislatures constitution, it is the peoples constitution. So the answer to the question should come from the people. Therefore, I voted yes to put it on the ballot so Kansans can vote. – CARL TURNER

MR. SPEAKER: I vote NO on **HCR 5003** because it will not accomplish the goal of reducing abortions in Kansas, it denies women the ability to manage their own healthcare and to have total control over their own bodies, I also vote no because of the supporters of this bill's hypocritical refusal to support the sanctity of life by expanding Medicaid, by refusing to support bills to reduce deaths from gun violence and to support health protocols designed to keep Kansans healthy and alive during this pandemic. This HCR was about politics NOT life. – JERRY STOGSDILL

## REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2008** be passed.

**REPORT OF STANDING COMMITTEE**

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 1**, by Representative Shannon Francis, honoring LaVon Holt on her 96<sup>th</sup> birthday.

**Request No. 2**, by Representative Joe Seiwert, honoring Anne Stockemer on her 100<sup>th</sup> Birthday and life accomplishments.

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hawkins, the committee report was adopted.

**REPORT ON ENGROSSED BILLS**

**HR 6004** reported correctly engrossed January 21, 2021.

**REPORT ON ENGROSSED RESOLUTIONS**

**HCR 5001** reported correctly engrossed January 21, 2021.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2119**, AN ACT concerning education; creating the student empowerment act; providing education savings accounts for students who are academically at-risk; amending K.S.A. 72-5134 and 79-32,117 and repealing the existing sections, by Committee on K-12 Education Budget.

**HB 2120**, AN ACT concerning crimes, punishment and criminal procedure; relating to sex offenses; sexual battery; removing spousal exception; amending K.S.A. 2020 Supp. 21-5505 and repealing the existing section, by Committee on Judiciary.

**HB 2121**, AN ACT concerning crimes, punishment and criminal procedure; relating to defendants who abscond from supervision; definitions; amending K.S.A. 75-5217 and K.S.A. 2020 Supp. 22-2202 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2122**, AN ACT enacting the supported decision-making agreements act; relating to decision-making assistance for adults; amending K.S.A. 2020 Supp. 21-5417 and repealing the existing section, by Committee on Federal and State Affairs.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Monday, January 25, 2021.

# Journal of the House

TENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, January 25, 2021, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Finch in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2123**, AN ACT concerning legal tender; establishing the Kansas legal tender act; reaffirmation of gold and silver coin as legal tender; income taxation subtraction modification for gains from the sale of specie; amending K.S.A. 79-32,117 and repealing the existing section, by Representatives Fairchild, Lee-Hahn, Murphy and Sutton.

**HB 2124**, AN ACT concerning the healing arts; relating to healing arts schools; professional services performed thereby; authorization thereof; amending K.S.A. 2020 Supp. 17-2707, 17-7668 and 65-2877a and repealing the existing sections, by Committee on Education.

**HB 2125**, AN ACT concerning the probate code; relating to wills; allowing a will or a copy of a will filed within six months after the death of the testator to be admitted to probate at any time; amending K.S.A. 2020 Supp. 59-618a and repealing the existing section, by Committee on Judiciary.

**HB 2126**, AN ACT concerning adult care facilities; relating to civil liability for COVID-19 claims; providing immunity therefrom; modifying the definition of adult care facility; amending K.S.A. 2020 Supp. 60-5502, 60-5506 and 60-5508 and repealing the existing sections, by Committee on Judiciary.

**HB 2127**, AN ACT concerning children and minors; relating to child abuse and neglect; child fatalities; requiring the department for children and families to release information to the public when criminal charges are filed in connection with a fatality; amending K.S.A. 2020 Supp. 38-2212 and repealing the existing section, by Committee on Judiciary.

**HB 2128**, AN ACT concerning crimes, punishment and criminal procedure; relating to certified drug abuse treatment programs; supervision and jurisdiction; allowing certain nondrug offenders to participate in the certified drug abuse treatment program; amending K.S.A. 2020 Supp. 21-6610 and 21-6824 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2129**, AN ACT concerning the state health care benefits program; providing coverage for tobacco cessation treatments; requiring the Kansas state employees health care commission to report on such benefits to the legislature, by Committee on Insurance and Pensions.

**HB 2130**, AN ACT concerning property tax; relating to cities and counties; approval of budgets, transportation construction projects; election; exception; amending K.S.A. 79-2925c and repealing the existing section, by Committee on Taxation.

**HB 2131**, AN ACT concerning education; relating to the Kansas school equity and enhancement act; making the high-density at-risk student weighting permanent; amending K.S.A. 72-5151 and repealing the existing section, by Committee on K-12 Education Budget.

**HB 2132**, AN ACT concerning roads and highways; designating a certain bridge on United States highway 77 as the PFC Loren H Larson memorial bridge, by Representative Carlson.

#### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Children and Seniors: **HB 2114, HB 2115, HB 2116.**

Corrections and Juvenile Justice: **HB 2121.**

Elections: **HB 2118, HCR 5007.**

Federal and State Affairs: **HB 2113, HB 2122.**

Judiciary: **HB 2120.**

K-12 Education Budget: **HB 2119.**

Taxation: **HB 2117.**

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Tuesday, January 26, 2021.

# Journal of the House

ELEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, January 26, 2021, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Finch in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2133**, AN ACT concerning crimes, punishment and criminal procedure; relating to search and seizure; requiring a law enforcement officer executing a search warrant to announce their presence before entering; amending K.S.A. 22-2510 and repealing the existing section, by Representatives Fairchild, Finney, Houser, Murphy, Parker and Xu.

**HB 2134**, AN ACT concerning insurance; relating to the reinsurance of risk; updating the national association of insurance commissioners credit for reinsurance model law; insurance holding company act; codifying the national association of insurance commissioners credit for insurance model regulation; amending K.S.A. 2020 Supp. 40-221a, 40-3302, 40-3304 and 40-3306 and repealing the existing sections, by Committee on Insurance and Pensions.

**HB 2135**, AN ACT concerning the Kansas uniform securities act; relating to victims of securities violations; powers of the administrator; administrative proceedings; criminal penalties; establishing the securities act victim restitution program; securities act victim restitution fund; amending K.S.A. 75-3036 and 77-547 and K.S.A. 2020 Supp. 17-12a508, 17-12a601 and 17-12a609 and repealing the existing sections, by Committee on Insurance and Pensions.

**HB 2136**, AN ACT concerning insurance; relating to the regulation of the business thereof; granting the commissioner the power to subpoena witnesses and order depositions when conducting certain investigations; updating certain definitions relating to service contracts and surplus lines insurance; interest rate calculations relating to nonforfeiture law for individual deferred annuities; application requirements for certification of utilization review organizations; requirements for out-of-state risk retention groups to do business in state; applications for registration of professional employer organizations; repealing the automobile club services act; amending K.S.A. 40-103, 40-22a04, 40-22a06 and 40-4103 and K.S.A. 2020 Supp. 40-201a, 40-246i, 40-4,104, 40-22a05 and 44-1704 and repealing the existing sections; also repealing K.S.A. 40-2405, 40-2501, 40-2502, 40-2503, 40-2504, 40-2505, 40-2506, 40-2507, 40-2508, 40-2509, 40-2510, 40-2511, 40-2512 and 40-2513, by Committee on Insurance and Pensions.

**HB 2137**, AN ACT concerning alcoholic beverages; relating to the sale of cereal malt

beverages; authorizing certain licensees under the Kansas liquor control act and the club and drinking establishment act to sell and serve cereal malt beverages; amending K.S.A. 41-2604 and 41-2619 and K.S.A. 2020 Supp. 41-308, 41-1201, 41-1202, 41-1203, 41-1204, 41-2601, 41-2608, 41-2610, 41-2611, 41-2613, 41-2614, 41-2623, 41-2637, 41-2641, 41-2642, 41-2643, 41-2653, 41-2655, 41-2658 and 41-2659 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2138**, AN ACT concerning alcoholic beverages; relating to licensure under the club and drinking establishment act; authorizing the issuance of a license to an individual whose spouse is a law enforcement officer; amending K.S.A. 2020 Supp. 41-311 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2139**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; reducing the range for an offender classified in grid blocks 5-A through 5-H and increasing the range for an offense classified in grid block 5-I; amending K.S.A. 2020 Supp. 21-6805 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2140**, AN ACT concerning firearms; relating to the personal and family protection act; prohibiting the carrying of concealed handguns in the state capitol; amending K.S.A. 75-7c21 and K.S.A. 2020 Supp. 21-6309 and repealing the existing sections, by Representatives Highberger, Carlin, Clayton, Curtis, Day, Featherston, Helgerson, Kuether, Ruiz, S. and Woodard.

**HB 2141**, AN ACT concerning income taxation; relating to deductions; increasing the Kansas standard deduction; amending K.S.A. 79-32,119 and repealing the existing section, by Committee on Taxation.

**HB 2142**, AN ACT concerning property taxation; relating to the reimbursement to certain property owners of property taxes resulting from a forced shutdown or capacity limitation by a county, by Committee on Taxation.

**HB 2143**, AN ACT concerning sales taxation; relating to exemptions on certain cash rebates on sales or leases of new motor vehicles; making exemption permanent; amending K.S.A. 79-3602 and repealing the existing section, by Committee on Taxation.

**HB 2144**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing guidelines; criminal history calculation; requiring an offender who raises error in calculation for first time on appeal to show prejudicial error; amending K.S.A. 2020 Supp. 21-6814 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2145**, AN ACT concerning electric public utilities; relating to the state corporation commission; exempting retail sales of electricity through electric vehicle charging stations from commission jurisdiction; amending K.S.A. 66-104 and repealing the existing section, by Committee on Energy, Utilities and Telecommunications.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2128**.

Education: **HB 2124**.

Insurance and Pensions: **HB 2129**.

Judiciary: **HB 2125**, **HB 2126**, **HB 2127**.

K-12 Education Budget: **HB 2131**.

Taxation: **HB 2123, HB 2130.**

Transportation: **HB 2132.**

## **MESSAGE FROM THE GOVERNOR**

### **Executive Reorganization Order No. 47 By Governor Laura Kelly January 25, 2021**

Pursuant to Article 1, Section 6, of the Constitution of the State of Kansas, today I transmit Executive Reorganization Order No. 47 to the Kansas Legislature along with this message to the House of Representatives.

Effective July 1, 2021, this reorganization creates the Kansas Department of Human Services (“KDHS”), which will be responsible for all current programs, responsibilities, functions, and duties of the Department for Children and Families (“DCF”) and the Department for Aging and Disability Services (“KDADS”). Unlike Executive Reorganization Order 44, which was submitted last year, this order does not affect the juvenile services division of the Department of Corrections. DCF and KDADS will be dissolved, but no current responsibilities, duties, or functions will be abolished.

Creating the Department of Human Services ensures Kansas families and individuals have easier access to critical services and improves engagement among our service centers, clients, and local stakeholders by creating a single point of entry for those accessing a variety of critical services. The new KDHS will allow us to focus on prevention, so that we can identify and serve Kansans in need before their situation becomes a crisis that is more costly to both themselves and our communities. Through partnering with communities across the state, KDHS will establish a one-stop-shop for Kansans in need of such services and will ensure that our government delivers those services in the most efficient and effective manner.

I look forward to working with the House of Representatives to improve our ability to serve Kansans in need and to build healthy communities across our State.

### **EXECUTIVE REORGANIZATION ORDER NO. 47 By Governor Laura Kelly Transmitted January 25, 2021**

Section 1. (a) The Kansas department for children and families is hereby renamed the Kansas department of human services. Except as otherwise provided by this order, whenever the department for children and families, or words of like effect, are referred to or designated by any statute, rule and regulation, contract, or any other document regardless of whether such reference is in regard to any of the powers, duties, or functions transferred pursuant to this order or not, such reference or designation shall be deemed to apply to the Kansas department of human services. Except as otherwise provided by this order, whenever the secretary for children and families, or words of like effect, are referred to or designated by any statute, rule and regulation, contract, or any other document regardless of whether such reference is in regard to any of the powers, duties, or functions transferred pursuant to this order or not, such reference or designation shall be deemed to apply to the secretary of human services.

(b) It is intended that the Kansas department of human services and the secretary of human services shall have authority to administer all programs and services which are

currently being administered by the Kansas department for children and families when this order becomes effective, including any programs, services and grants for which the Kansas department for children and families is serving as an operating agency or grants manager for another state agency or federal agency at the time this order becomes effective.

(c) On the effective date of this order, the Kansas department of human services shall succeed to whatever right, title or interest the Kansas department for children and families has acquired in any real property in this state, and the Kansas department of human services shall hold the same for and in the name of the state of Kansas. On and after the effective date of this order, whenever any statute, contract, deed or other document concerns the power or authority of the Kansas department for children and families or the secretary for children and families to acquire, hold or dispose of real property or any interest therein, the Kansas department of human services shall succeed to such power or authority.

(d) The Kansas department of human services shall succeed to all property, property rights, and records which were used for or pertain to the performance of powers, duties, and functions transferred to it by this order from the department for children and families and the secretary for children and families. Any conflict as to the proper disposition of property, personnel, or records arising under this order shall be determined by the governor, whose decision shall be final.

(e) The secretary of human services may adopt rules and regulations for the government, regulation and operation of programs and services administered by the Kansas department of human services.

Sec. 2. (a) The Kansas department for aging and disability services created by K.S.A. 75-5902 *et seq.* and Executive Reorganization Order No. 41, is hereby abolished.

(b) Except as otherwise provided by this order, all of the jurisdiction, powers, functions and duties of the Kansas department for aging and disability services and the secretary of the Kansas department for aging and disability services are hereby transferred to and conferred and imposed upon the Kansas department of human services and the secretary of human services.

(c) Except as otherwise provided by this order, the Kansas department of human services and the secretary of human services shall be the successor in every way to the jurisdiction, powers, duties and functions of the Kansas department for aging and disability services and the secretary for aging and disability services in which the same were vested prior to the effective date of this order. Every act performed in the exercise of such jurisdiction, powers, duties and functions by or under the authority of the Kansas department of human services and the secretary of human services shall be deemed to have the same force and effect as if performed by the Kansas department for aging and disability services or the secretary for aging and disability services, respectively, in which such jurisdiction, powers, duties and functions were vested prior to the effective date of this order.

(d) Except as otherwise provided by this order, whenever the department for aging and disability services, or words of like effect, is referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the Kansas department of human services.

(e) Except as otherwise provided by this order, whenever the secretary for aging and disability services, or words of like effect, is referred to or designated by a statute,

contract or other document, such reference or designation shall be deemed to apply to the secretary of human services.

(f) All rules and regulations, policies and procedures of the Kansas department for aging and disability services or the secretary for aging and disability services which relate to the functions transferred by this order and which are in effect on the effective date of this order shall continue to be effective and shall be deemed to be rules and regulations, policies and procedures of the Kansas department of human services or the secretary of human services until revised, amended, revoked, or nullified pursuant to law.

(g) All orders and directives of the Kansas department for aging and disability services or the secretary for aging and disability services in existence on the effective date of this order shall continue to be effective and shall be deemed to be orders and directives of the Kansas department of human services or the secretary of human services until revised, amended or nullified pursuant to law.

(h) On the effective date of this order, the Kansas department of human services shall succeed to whatever right, title or interest the Kansas department for aging and disability services has acquired in any real property in this state, and the Kansas department of human services shall hold the same for and in the name of the state of Kansas. On and after the effective date of this order, whenever any statute, contract, deed or other document concerns the power or authority of the Kansas department for aging and disability services or the secretary for aging and disability services to acquire, hold or dispose of real property or any interest therein, the Kansas department of human services shall succeed to such power or authority.

(i) The Kansas department of human services and the secretary of human services shall be continuations of the Kansas department for aging and disability services and the secretary for aging and disability services.

(j) The secretary of human services shall determine the manner in which the office of the secretary of aging and disability services is organized within the Kansas department of human services.

(k) The secretary of human services shall determine the manner in which aging, disability and behavioral health programs are organized within the Kansas department of human services.

(l) The secretary of human services shall determine the manner in which programs provided by the institutions, as defined by subsection (b) of K.S.A. 76-12a01, and amendments thereto, are organized within the Kansas department of human services.

(m) The secretary of human services shall determine the manner in which survey, certification and credentialing programs are organized within the Kansas department of human services.

(n) The secretary of human services shall determine the manner in which financial and information services programs are organized within the Kansas department of human services.

Sec. 3. (a) The secretary of human services shall appoint such officers and employees as may be needed to carry out the powers and duties which the secretary assigns to the office of the secretary, aging, disability and behavioral health functions, institution functions, survey, certification and credentialing functions, and office of the financial and information services commission of the Kansas department of human services.

(b) All officers and employees in the Kansas department for aging and disability

services who, immediately prior to the effective date of this order, are engaged in the exercise and performance of the powers, duties, and functions transferred by this order, are hereby transferred to the Kansas department of human services unless the secretary of human services determines that some officers or employees are not performing necessary services. All classified employees so transferred shall retain their status as classified employees. Thereafter, the secretary of human services may convert vacant classified positions to positions in the unclassified service under the Kansas civil service act.

(c) Officers and employees in the Kansas department for aging and disability services transferred by this order shall retain all retirement benefits and leave balances and rights which had accrued or vested prior to the date of transfer. The service of each such employee so transferred shall be deemed to have been continuous. Any subsequent transfers, layoffs, or abolition of classified service positions under the Kansas civil service act shall be made in accordance with the civil service laws and any rules and regulations adopted thereunder.

(d) The Memorandum of Agreement between the State of Kansas and the Kansas Organization of State Employees that is in existence on the effective date of this order shall continue to be effective until revised, amended or nullified pursuant to the terms of the Memorandum of Agreement.

Sec. 4. (a) The aging and disability community services and programs commission and the behavioral health services commission of the Kansas department for aging and disability services is hereby transferred to the Kansas department of human services and shall be a part thereof. The aging and disability community and services programs commission and the behavioral health services commission transferred to the Kansas department of human services by this order shall be administered by the secretary of human services.

(b) The secretary of human services shall determine the manner in which programs and services provided by the aging and disability community services and programs commission and the behavioral health services commission shall be organized within the Kansas department of human services.

(c) The programs transferred from the aging and disability community services and programs commission and the behavioral services commission of the Kansas department for aging and disability services are:

- (1) Mental health and substance abuse;
- (2) serious emotionally disturbed, intellectual and developmental disability, physical disability, brain injury, autism, technology assistance, and frail and elderly Medicaid waivers and programs;
- (3) licensure and regulation of community mental health centers, as defined by K.S.A. 39-2002, and amendments thereto;
- (4) regulation of community developmental disability organizations, as defined by K.S.A. 39-1801 *et seq.*, and amendments thereto;
- (5) licensure of private psychiatric hospitals, as defined by K.S.A. 39-2001 *et seq.*, and amendments thereto;
- (6) licensure of psychiatric residential treatment facilities under subsection (c) of K.S.A. 65-503, and amendments thereto, and subsection (k) of K.A.R. 28-4-1200 on the effective date of this order, and subsection (g)(3) of K.S.A. 72-1173, and amendments thereto;

(7) licensure and regulation of facilities and providers of residential and day supports services, as defined by K.S.A. 39-2001 *et seq.*, and amendments thereto;

(8) licensure and regulation of residential care facilities, as defined by K.S.A. 39-2001 *et seq.*, and amendments thereto;

(9) licensure and regulation of crisis intervention centers, as defined by K.S.A. 39-2001 *et seq.*, and amendments thereto;

(10) licensure and regulation of providers of addiction and prevention services, as defined by K.S.A. 75-5375, *et seq.*; and;

(11) licensure and regulation of providers of services and administration of grants for the older Americans act (OAA), senior care act (SCA), and Medicare programs including the senior health insurance counseling for Kansas (SHICK), the senior Medicare patrol (SMP), and the Medicare improvements for patients and providers act (MIPPA), the client assessment, referral and evaluation program (CARE), the respite for caregivers program, and the program of all-inclusive care for the elderly (PACE);

(12) any other programs and related grants administered by the aging and disability community services and programs commission and the behavioral health services commission of the Kansas department for aging and disability services prior to the effective date of this order.

(d) Except as otherwise provided by this order, all powers, duties, and functions of the secretary for aging and disability services pertaining to the aging and disability community services and programs commission and the behavioral health services commission transferred by this order, including that agency's designation as the Medicaid single state authority for substance abuse and for mental health, are hereby transferred to and imposed upon the secretary of human services.

(e) The Kansas department of human services shall be the successor in every way to the powers, duties, and functions of the Kansas department for aging and disability services pertaining to the aging and disability community services and supports commission and the behavioral health services commission transferred by this order. Every act performed in the exercise of such transferred powers, duties, and functions by or under the authority of the Kansas department of human services shall be deemed to have the same force and effect as if performed by the Kansas department for aging and disability services in which such powers, duties, and functions were vested prior to the effective date of this order.

Sec. 5. (a) The state hospitals commission of the Kansas department for aging and disability services is hereby transferred to the Kansas department of human services and shall be a part thereof. All institutions, as defined by subsection (b) of K.S.A. 76-12a01, and amendments thereto, and the programs operated by such institutions are hereby transferred from the Kansas department for aging and disability services to the Kansas department of human services. All such institutions shall be administered by the secretary of human services.

(b) Except as otherwise provided by this order, all powers, duties, and functions of the secretary for aging and disability services pertaining to the programs and operation of the institutions, as defined by subsection (b) of K.S.A. 76-12a01, and amendments thereto, are hereby transferred to and imposed upon the secretary of human services.

(c) The secretary of human services shall determine the manner in which programs and services provided by the state hospitals commission and institutions shall be

organized within the Kansas department of human services.

(d) The Kansas department of human services shall be the successor in every way to the powers, duties, and functions of the Kansas department for aging and disability services pertaining to the programs and operation of the state hospital commission and the institutions that are transferred by this order. Every act performed in the exercise of such transferred powers, duties, and functions by or under the authority of the Kansas department of human services shall be deemed to have the same force and effect as if performed by the Kansas department for aging and disability services in which such powers, duties, and functions were vested prior to the effective date of this order.

Sec. 6. (a) The survey, certification and credentialing commission of the Kansas department for aging and disability services is hereby transferred to the Kansas department of human services and shall be a part thereof. The survey, certification and credentialing commission transferred to the Kansas department of human services by this order shall be administered by the secretary of human services.

(b) The secretary of human services shall determine the manner in which programs and services provided by the survey, certification and credentialing commission shall be organized within the Kansas department of human services.

(c) The programs to be transferred by this commission are the Kansas act on credentialing, K.S.A. 65-5001 through 65-5011, and amendments thereto, including the following programs:

(1) Licensure of adult care home administrators, as defined by subsection (c) of K.S.A. 65-3501, and amendments thereto;

(2) licensure of dietitians, as defined by subsection (f) of K.S.A. 65-5902, and amendments thereto;

(3) certification of residential care facility operators, as defined by subsection (a)(21) of K.S.A. 39-923, and amendments thereto;

(4) certification of activity directors, as defined by subsection (a) of K.A.R. 26-39-100 on the effective date of this order;

(5) certification of social service designees, as defined by subsection (sss) of K.A.R. 26-39-100 on the effective date of this order;

(6) certification of nurse aides, as defined by subsection (qq) of K.A.R. 26-39-100 on the effective date of this order;

(7) certification of medication aides as defined by subsection (nn) of K.A.R. 26-39-100 on the effective date of this order;

(8) certification of home health aides as defined by subsection (e) of K.S.A. 65-5101, and amendments thereto; and

(9) maintenance of the Kansas nurse aide registry under subsection (c) of K.S.A. 39-936, and amendments thereto, and K.S.A. 39-1411, and amendments thereto;

(10) survey and licensure of adult care home facilities under the adult care home licensure act under K.S.A. 39-923 *et seq.*, and amendments thereto.

(d) The criminal history record check program, as authorized by individual credentialing statutes or rules and regulations, K.S.A. 39-969, and amendments thereto, K.S.A. 39-970, and amendments thereto, K.S.A. 39-2009, and amendments thereto, and subsection (b) of K.S.A. 22-4707, and amendments thereto, is hereby transferred from the Kansas department of aging and disability services to the Kansas department of human services and shall be a part thereof.

(e) The licensure of adult care home administrators, the licensure of dietitians, the

certification of residential care facility operators, the certification of activity directors, the certification of social service designees, the certification of nurse aides, the certification of medication aides, the certification of home health aides, the board of adult care home administrators, the maintenance of the Kansas nurse aide registry, the survey and licensure of adult care home facilities, and the criminal history record check program shall be administered by the secretary of human services. Nothing in this order shall change or diminish the authority of the board of adult care home administrators established by K.S.A. 65-3506, and amendments thereto.

(f) Except as otherwise provided by this order, all powers, duties, and functions of the secretary of aging and disability services pertaining to the licensure of adult care home administrators, the licensure of dietitians, the certification of residential care facility operators, the certification of activity directors, the certification of social service designees, the certification of nurse aides, the certification of medication aides, the certification of home health aides, the board of adult care home administrators, the Kansas nurse aide registry, the survey and licensure of adult care home facilities, and the criminal record check program transferred by this order are hereby transferred to and imposed upon the secretary of human services.

(g) The Kansas department of human services shall be the successor in every way to the powers, duties, and functions of the Kansas department of aging and disability services pertaining to those portions of the survey, certification and credentialing program transferred by this order. Every act performed in the exercise of such transferred powers, duties, and functions by or under the authority of the Kansas department of human services shall be deemed to have the same force and effect as if performed by the Kansas department of aging and disability services in which such powers, duties, and functions were vested prior to the effective date of this order.

Sec. 7. (a) The financial and information services commission of the Kansas department for aging and disability services, including agency-specific information technology and financial oversight programs and services, is hereby transferred to the Kansas department of human services and shall be a part thereof. The financial and information services commission transferred to the Kansas department of human services by this order shall be administered by the secretary of human services.

(b) The secretary of human services shall determine the manner in which programs and services provided by the financial and information services commission shall be organized within the Kansas department of human services.

(c) Except as otherwise provided by this order, all powers, duties, and functions of the secretary of aging and disability services pertaining to the programs and services administered by the financial and information services commission transferred by this order are hereby transferred to and imposed upon the secretary of human services.

(d) The Kansas department human services shall be the successor in every way to the powers, duties, and functions of the Kansas department of aging and disability services pertaining to those portions of the financial and information services programs transferred by this order. Every act performed in the exercise of such transferred powers, duties, and functions by or under the authority of the Kansas department of human services shall be deemed to have the same force and effect as if performed by the Kansas department of aging and disability services in which such powers, duties, and functions were vested prior to the effective date of this order.

Sec. 8. (a) The powers, duties, and functions of the Kansas department for aging and

disability services and the secretary for aging and disability services pertaining to any and all receiverships of adult care homes filed pursuant to K.S.A. 39-954 *et seq.*, amendments thereto, is hereby transferred to the Kansas department of human services and shall be a part thereof. The powers, duties, and functions of the receiver transferred to the Kansas department of human services by this order shall be administered by the secretary of human services.

(b) The secretary of human services shall determine the manner in which the receivership program administered under K.S.A. 39-954 *et seq.*, and amendments thereto, shall be organized within the Kansas department of human services.

(c) The Kansas department of human services and the secretary of human services shall be the successor in every way to the receiver's powers, duties, and functions of the Kansas department for aging and disability services and the secretary for aging and disability services pertaining to any and all receiverships of adult care homes filed pursuant to K.S.A. 39-954 *et seq.*, and amendments thereto, pending on the effective date of this order.

(d) Whenever the Kansas department for aging and disability services, the secretary for aging and disability services, or words of like effect, is referred to or designated by a statute, contract, order or other document and such reference is in regard to any of the powers, duties, or functions of the receiver under K.S.A. 39-954 *et seq.*, and amendments thereto, transferred to the Kansas department of human services from the Kansas department for aging and disability services by this order, such reference or designation shall be deemed to apply to the Kansas department of human services or the secretary of human services.

(e) All rules and regulations, orders, and directives of the Kansas department for aging and disability services and the secretary for aging and disability services, or words of like effect, which relate to the powers, duties and functions of the receiver under K.S.A. 39-954 *et seq.*, and amendments thereto, on the effective date of this order, shall be effective and shall be deemed to be rules and regulations, orders, and directives of the Kansas department of human services and the secretary of human services until revised, amended, revoked, or nullified pursuant to law.

Sec. 9. (a) The balances of all funds or accounts thereof appropriated or reappropriated for the Kansas department for aging and disability services relating to the powers, duties, and functions transferred by this order are hereby transferred within the state treasury to the Kansas department of human services and shall be used only for the purpose for which the appropriation was originally made.

(b) Liability for all accrued compensation or salaries of officers and employees who are transferred to the Kansas department of human services under this order shall be assumed and paid by the Kansas department of human services.

(c) Subject to the acts of the legislature, all fees, grant funds, and loan repayment funds of the Kansas department for aging and disability services dedicated to programs transferred by this order shall be transferred to the Kansas department of human services.

Sec. 10. (a) The Kansas department of human services shall succeed to all property, property rights, and records which were used for or pertain to the performance of powers, duties, and functions transferred to it by this order from the department of aging and disability services and the secretary of aging and disability services. Any conflict as to the proper disposition of property, personnel, or records arising under this

order shall be determined by the governor, whose decision shall be final.

(b) When any conflict arises as to any power, duty, or function transferred from the department of aging and disability services and the secretary of aging and disability services resulting from any transfer made by or under the authority of this order, such conflict shall be resolved by the governor, whose decision shall be final.

Sec. 11. (a) Except as otherwise provided by this order, whenever the department of social and rehabilitation services, which was the predecessor to the department for children and families under Executive Reorganization No. 41, or words of like effect, is referred to or designated by any statute, rule and regulation, contract, internal policy or procedure, order or any other document regardless of whether such reference is in regard to any of the powers, duties, or functions transferred pursuant to this order or not, such reference or designation shall be deemed to apply to the Kansas department of human services. Except as otherwise provided by this order, whenever the secretary of social and rehabilitation services, or words of like effect, are referred to or designated by any statute, rule and regulation, contract, internal policy or procedure, order or any other document regardless of whether such reference is in regard to any of the powers, duties, or functions transferred pursuant to this order or not, such reference or designation shall be deemed to apply to the secretary of human services.

(b) On the effective date of this order, the Kansas department of human services shall succeed to whatever right, title or interest the department of social and rehabilitation services has acquired in any real property in this state, and the Kansas department of human services shall hold the same for and in the name of the state of Kansas. On and after the effective date of this order, whenever any statute, contract, deed or other document concerns the power or authority of the department of social and rehabilitation services to acquire, hold or dispose of real property or any interest therein, the Kansas department of human services shall succeed to such power or authority.

Sec. 12. (a) Except as otherwise provided by this order, whenever the department aging, which was the predecessor to the department for aging and disability services under Executive Reorganization No. 41, or words of like effect, are referred to or designated by any statute, rule and regulation, contract, internal policy or procedure, order or any other document regardless of whether such reference is in regard to any of the powers, duties, or functions transferred pursuant to this order or not, such reference or designation shall be deemed to apply to the Kansas department of human services. Except as otherwise provided by this order, whenever the secretary of aging, or words of like effect, are referred to or designated by any statute, rule and regulation, contract, internal policy or procedure, order or any other document regardless of whether such reference is in regard to any of the powers, duties, or functions transferred pursuant to this order or not, such reference or designation shall be deemed to apply to the secretary of human services.

(b) On the effective date of this order, the Kansas department of human services shall succeed to whatever right, title or interest the department on aging has acquired in any real property in this state, and the Kansas department of human services shall hold the same for and in the name of the state of Kansas. On and after the effective date of this order, whenever any statute, contract, deed or other document concerns the power or authority of the department on aging to acquire, hold or dispose of real property or any interest therein, the Kansas department of human services shall succeed to such power or authority.

Sec. 13. The Kansas department of human services and the secretary of human services shall have authority to administer all programs and services previously administered by the Kansas department for social and rehabilitation services, the Kansas department on aging, and the Kansas department for aging and disability services regardless of whether such programs and services are specifically mentioned in this order as being transferred to the Kansas department of human services. For purposes of this order, all programs and services intended to be transferred to the Kansas department of human services is intended to include all programs and services for which the Kansas department for aging and disability services or the secretary for aging and disability services provides administration services, serves as the operating agency or serves as the manager of grant funds pursuant to an existing delegation of authority or memorandum of understanding between a predecessor of the Kansas department of human services and another state or federal agency on the effective date of this order.

Sec. 14. The secretary of human services may adopt rules and regulations for the government, regulation and operation of and all programs and services previously administered by the Kansas department for children and families, the Kansas department of social and rehabilitation services, the Kansas department for aging and disability services and the Kansas department on aging.

Sec. 15. (a) No suit, action, or other proceeding, judicial or administrative, lawfully commenced, or which could have been commenced, by or against any state agency or program mentioned in this order, or by or against any officer of the state in such officer's official duties, shall abate by reason of the governmental reorganization effected under the provisions of this order. The court may allow any such suit, action, or other proceeding to be maintained by or against the successor of any such state agency or any officer affected.

(b) No criminal action commenced, or which could have been commenced, by the state shall abate by the taking effect of this order.

Sec. 16. Except as otherwise provided by this order, all of the provisions of this order shall take effect and have the force of general law on July 1, 2021, unless disapproved by either house of the Kansas legislature as provided by subsection (c) of section 6 of article 1 of the constitution of Kansas, and unless so disapproved, this order is to be published as and with the acts of the legislature and the statutes of this state.

DONE AT the Capitol in Topeka  
Under the Great Seal of the State  
of Kansas this 25th day  
of January, 2021.

BY THE GOVERNOR:  
LAURA KELLY

SCOTT SCHWAB  
*Secretary of State of Kansas*

CATHERINE GUNSALUS  
*Asst. Secretary of State of Kansas*

**MESSAGE FROM THE GOVERNOR****Executive Reorganization Order No. 48  
By Governor Laura Kelly  
January 25, 2021**

Pursuant to Article 1, Section 6, of the Constitution of the State of Kansas, today I transmit Executive Reorganization Order No. 48 to the Kansas Legislature along with this message to the House of Representatives.

Effective July 1, 2021, this reorganization moves the Division of Tourism out of the Kansas Department of Wildlife, Parks, and Tourism and relocates the Division of Tourism in the Kansas Department of Commerce. This move will more closely align our state's efforts to increase tourism with the economic development efforts of the Department of Commerce. None of the Division of Tourism's current responsibilities, duties, or functions will be abolished.

This reorganization is the product of consultation and discussion with businesses, destination marketing organizations, and other key industry partners, including the Travel Industry Association of Kansas, the Kansas Restaurant & Hospitality Association, and the Kansas Economic Development Alliance. The move will send a clear message to our industry partners and prospective companies that Kansas will use every tool at its disposal to spur new economic development.

Kansas is not just a great place to live and work, it's a great place to visit. I look forward to working with the House of Representatives to build on our efforts to support and increase tourism as we help our economy recover.

**EXECUTIVE REORGANIZATION ORDER NO. 48  
By Governor Laura Kelly  
January 25, 2021****Section 1.**

(a) There is hereby established, within the department of commerce the division of tourism. The head of the division of tourism shall be the director of tourism, who shall be appointed by and serve at the pleasure of the secretary of commerce. The director of tourism shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary fixed by the secretary of commerce.

(b) (1) The director of tourism shall appoint, in accordance with the provisions of the Kansas civil service act, such employees as may be needed, in the judgment of the director, to carry out the powers and duties of the division of tourism.

(2) All officers and employees of the division of tourism shall act for and exercise the powers of the director of tourism to the extent that authority to do so is delegated by the director. Subject to the provisions of this order, the director of tourism may organize the division of tourism in the manner the director of tourism deems most efficient.

**Section 2.**

(a) The division of tourism of the Kansas department of wildlife, parks and tourism and the office of the director of tourism of the Kansas department of wildlife, parks and tourism that were created by K.S.A. 32-812 and 32-1402, and amendments thereto, are hereby abolished.

(b) Except as otherwise provided by this order, all powers, duties and functions of the division of tourism and the director of tourism under K.S.A. 32-812, et seq. and K.S.A. 32-1401 through 32-1438 and amendments thereto, are hereby transferred to and imposed upon the division of tourism and the director of tourism of the department of commerce.

(c) The Kansas department of wildlife, parks and tourism as established by K.S.A. 32-801 et seq. is hereby renamed the Kansas department of wildlife and parks and the secretary of wildlife, parks and tourism is renamed the secretary of wildlife and parks.

(d) Except as otherwise provided by this order, the Kansas department of wildlife and parks and the secretary of wildlife and parks shall be the successor in every way to the powers, duties and functions of the Kansas department of wildlife, parks and tourism and the secretary of wildlife, parks and tourism in which the same were vested prior to the effective date of this order. Every act performed in the exercise of such powers, duties and functions by or under the authority of the Kansas department of wildlife and parks or the secretary of wildlife and parks shall be deemed to have the same force and effect as if performed by the Kansas department of wildlife, parks and tourism or the secretary of wildlife, parks and tourism in which such powers, duties and functions were vested prior to the effective date of this order.

(e) Except as otherwise provided by this order, whenever the Kansas department of wildlife, parks and tourism, or words of like effect, are referred to or designated by a statute, contract or other document, and such reference or designation is in regard to any function, power or duty of the Kansas department of wildlife, parks and tourism, such reference or designation shall be deemed to apply to the Kansas department of wildlife and parks .

(f) Except as otherwise provided by this order, whenever the secretary of wildlife, parks and tourism, or words of like effect, are referred to or designated by a statute, contract or other document, and such reference or designation is in regard to any function, power or duty of the secretary of wildlife, parks and tourism, such reference or designation shall be deemed to apply to the secretary of wildlife and parks.

(g) Except as otherwise provided by this order, all rules and regulations, orders and directives of the secretary of wildlife, parks and tourism that are in effect on the effective date of this order shall continue to be effective and shall be deemed to be rules and regulations, orders and directives of the secretary of wildlife and parks until revised, amended, revoked or nullified pursuant to law.

(h) The secretary of wildlife and parks shall appoint an assistant secretary for operations. The assistant secretary for operations shall serve at the pleasure of the secretary of wildlife and parks. The assistant secretary for operations shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary fixed by the secretary of wildlife and parks. The assistant secretary for operations shall have such powers, duties and functions as are assigned to them by the secretary or are prescribed by law. The assistant secretary for operations shall act for and exercise the powers of the secretary of wildlife and parks to the extent authority to do so is delegated by the secretary of wildlife and parks.

(i) The positions of assistant secretary for parks and tourism and assistant secretary of wildlife, fisheries and boating as established by K.S.A. 32-802 are hereby abolished.

### Section 3.

(a) Except as otherwise provided by this order, the division of tourism and the

director of tourism of the Kansas department of commerce shall be the successor in every way to the powers, duties and functions of the division of tourism and the director of tourism of the Kansas department of wildlife, parks and tourism in which the same were vested prior to the effective date of this order and that are transferred pursuant to section 2 of this order. Every act performed in the exercise of such transferred powers, duties and functions by or under the authority of the division of tourism and the director of tourism of the department of commerce shall be deemed to have the same force and effect as if performed by the division of tourism and the director of tourism of the Kansas department of wildlife, parks and tourism in which such powers, duties and functions were vested prior to the effective date of this order.

(b) Except as otherwise provided by this order, whenever the division of tourism of the Kansas department of wildlife, parks and tourism, or words of like effect, is referred to or designated by a statute, contract or other document, and such reference or designation is in regard to any function, power or duty of the division of tourism of the department of wildlife, parks and tourism, such reference or designation shall be deemed to apply to the division of tourism of the Kansas department of commerce.

(c) Except as otherwise provided by this order, whenever the director of tourism of the Kansas department of wildlife, parks and tourism, or words of like effect, are referred to or designated by a statute, contract, or other document, and such reference or designation is in regard to any function, power or duty of the director of tourism of the department of wildlife, parks and tourism, such reference or designation shall be deemed to apply to the director of tourism of the department of commerce.

(d) All rules and regulations, orders and directives of the secretary of wildlife, parks and tourism, that are in effect on the effective date of this order and that relate to any function, power or duty of the director of tourism of the Kansas department of wildlife, parks and tourism, shall continue to be effective and shall be deemed to be rules and regulations, orders and directives of the secretary of commerce until revised, amended, revoked or nullified pursuant to law. All orders and directives of the division of tourism or the director of tourism of the Kansas department of wildlife, parks and tourism, that are in effect on the effective date of this order and that relate to any function, power or duty of the division of tourism or the director of tourism of the department of wildlife, parks and tourism, shall continue to be effective and shall be deemed to be orders and directives of the division of tourism or the director of tourism of the department of commerce until revised, amended, revoked or nullified pursuant to law.

#### Section 4.

(a) The balances of all funds or accounts thereof appropriated or reappropriated for the Kansas department of wildlife, parks and tourism relating to the power, duties and functions transferred by this order are hereby transferred within the state treasury to the department of commerce and shall be used only for the purpose for which the appropriation was originally made.

(b) Liability for all accrued compensation or salaries of officers and employees who are transferred to the division of tourism of the department of commerce under this order shall be assumed and paid by the department of commerce.

#### Section 5.

(a) When any conflict arises as to the disposition of any property, power, duty or function or the unexpended balance of any appropriation as a result of any abolition or

transfer made by or under the authority of this order, such conflict shall be resolved by the governor, whose decision shall be final.

(b) The department of commerce shall succeed to all property, property rights and records that were used for or pertain to the performance of powers, duties and functions transferred to the division of tourism of the department of commerce. Any conflict as to the proper disposition of property, personnel or records arising under this order shall be determined by the governor, whose decision shall be final.

#### Section 6.

(a) No suit, action or other proceeding, judicial or administrative, lawfully commenced, or that could have been commenced, by or against any state agency or program mentioned in this order, or by or against any officer of the state in such officer's official duties, shall abate by reason of the governmental reorganization effected under the provisions of this order. The court may allow any such suit, action or other proceeding to be maintained by or against the successor of any such state agency or any officer affected.

(b) No criminal action commenced or that could have been commenced by the state shall abate by the taking effect of this order.

#### Section 7.

(a) All officers and employees of the Kansas department of wildlife, parks and tourism who, immediately prior to the effective date of this order, are engaged in the exercise and performance of the powers, duties and functions transferred by this order, as well as all officers and employees of the Kansas department of wildlife, parks and tourism who are determined by the secretary of commerce to be engaged in providing administrative, technical or other support services that are essential to the exercise and performance of the powers, duties and functions transferred by this order, are hereby transferred to the division of tourism of the department of commerce. All classified officers and employees so transferred shall retain their status as classified employees.

(b) Officers and employees of the Kansas department of wildlife, parks and tourism transferred by this order shall retain all retirement benefits and leave balances and rights that had accrued or vested prior to the date of transfer. The service of each such officer or employee so transferred shall be deemed to have been continuous. Any subsequent transfers, layoffs or abolition of classified service positions under the Kansas civil service act shall be made in accordance with the civil service laws and any rules and regulations adopted thereunder. Nothing in this order shall affect the classified status of any transferred person employed by the Kansas department of wildlife, parks and tourism prior to the date of transfer.

(c) Notwithstanding the effective date of this order, the provisions of this order prescribing the transfer of officers and employees from the Kansas department of wildlife, parks and tourism to the division of tourism of the department of commerce established by this order, the date of transfer of each such officer or employee shall commence at the start of a payroll period.

#### Section 8.

(a) Except as otherwise provided by this order, all of the provisions of this order shall take effect and have the force of general law on July 1, 2021, unless disapproved by either house of the Kansas legislature as provided by subsection (c) of section 6 of article 1 of the constitution of the state of Kansas, and unless so disapproved, this order is to be published as and with the acts of the legislature and the statutes of this state.

DONE AT the Capitol in Topeka  
Under the Great Seal of the State  
of Kansas this 25th day  
of January, 2021.

BY THE GOVERNOR:

LAURA KELLY

SCOTT SCHWAB

*Secretary of State of Kansas*

CATHERINE GUNSALUS

*Asst. Secretary of State of Kansas*

#### **REPORTS OF STANDING COMMITTEES**

Committee on **Insurance and Pensions** recommends **HB 2072** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Wednesday, January 27, 2021.

# Journal of the House

## TWELFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, January 27, 2021, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Ryckman in the chair.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2146**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; drug crimes; expanding the number of presumptive probation and border grid blocks; authorizing more offenders to be sentenced to participate in the certified drug abuse treatment program; amending K.S.A. 2020 Supp. 21-6805 and 21-6824 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2147**, AN ACT concerning crimes, punishment and criminal procedure; relating to drug offenders; offenders directly committed to prison; petition for release to probation or assignment to community corrections; amending K.S.A. 2020 Supp. 22-3716 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2148**, AN ACT concerning sales taxation; relating to exemptions; gage park memorial, inc.; amending K.S.A. 79-3606 and repealing the existing section, by Committee on Taxation.

**HB 2149**, AN ACT concerning child care facilities; relating to individuals maintaining or residing, working or regularly volunteering at a child care facility; imposing prohibitions based on state and federal law; providing exemptions at the discretion of the secretary for children and families; amending K.S.A. 65-516 and repealing the existing section, by Committee on Children and Seniors.

**HB 2150**, AN ACT concerning dependent persons; relating to the reporting of abuse, neglect or financial exploitation of such persons; requiring additional persons to be mandatory reporters; providing a definition of financial exploitation; amending K.S.A. 39-1438 and 39-1441 and K.S.A. 2020 Supp. 39-1430, 39-1431, 39-1433 and 39-1443 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 39-1431b, by Committee on Children and Seniors.

**HB 2151**, AN ACT concerning the attorney general; relating to elder and dependent adult abuse; creating a Kansas elder and dependent adult abuse multidisciplinary team coordinator and elder and dependent adult abuse multidisciplinary teams; prescribing membership; duties and powers; meeting requirements; providing for confidentiality of records; open meeting exemption; report to the legislature; requiring the abuse, neglect and exploitation of persons unit of the attorney general to assist in multidisciplinary

team investigations; amending K.S.A. 75-723 and repealing the existing section, by Committee on Children and Seniors.

**HB 2152**, AN ACT concerning the probate code; relating to transfer-on-death; clarifying how property held under a transfer-on-death deed is distributed when one beneficiary predeceases the grantor; amending K.S.A. 2020 Supp. 59-3504 and repealing the existing section, by Committee on Judiciary.

**HB 2153**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; mistreatment of a dependent adult or elder person; increasing criminal penalty when victim is a resident of an adult care home; amending K.S.A. 2020 Supp. 21-5417 and repealing the existing section, by Committee on Judiciary.

**HB 2154**, AN ACT concerning school buses; relating to school bus safety; relating to the illegal passing of school buses; authorizing the department of education to contract with private vendors for the installation and operation of stop signal arm video recording devices; creating procedures for violations and civil penalties; requiring an annual report to the legislature, by Committee on Judiciary.

**HB 2155**, AN ACT concerning the department of health and environment; relating to water and soil pollutants; spill program; penalties; amending K.S.A. 65-171v and repealing the existing section; also repealing K.S.A. 65-171w, by Committee on Agriculture.

**HB 2156**, AN ACT concerning agriculture; relating to milk, cream and dairy products; on-farm retail sale of milk; labeling and advertising requirements; civil penalties for violations thereof; amending K.S.A. 65-771 and repealing the existing section, by Committee on Agriculture.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Corrections and Juvenile Justice: **HB 2139, HB 2133, HB 2144.**

Energy, Utilities and Telecommunications: **HB 2145.**

Federal and State Affairs: **HB 2137, HB 2138, HB 2140.**

Insurance and Pensions: **HB 2134, HB 2135, HB 2136.**

Taxation: **HB 2141, HB 2142, HB 2143.**

## REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2022** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2026** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2028** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2027** be amended on page 1, in line 16, after "felony" by inserting "or a misdemeanor violation of interference with parental custody as defined in K.S.A. 2020 Supp. 21-5409, and amendments thereto, criminal restraint as defined in K.S.A. 2020 Supp. 21-5411, and amendments thereto, domestic battery as defined in K.S.A. 2020 Supp. 21-5414, and amendments thereto, stalking as defined in K.S.A. 2020 Supp. 21-5427, and amendments thereto, intimidation of a witness or victim as defined in K.S.A. 2020 Supp. 21-5909, and amendments thereto, or violation of a protective order as defined in K.S.A. 2020 Supp. 21-5924, and amendments thereto";

Also on page 1, in line 19, after "misdemeanor" by inserting "not described in

subsection (b)(1)"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2157**, AN ACT concerning health and healthcare; relating to health insurance plans; establishing restrictions on the use of step therapy protocols for prescription medication, by Committee on Health and Human Services.

**HB 2158**, AN ACT concerning public health; relating to the department of health and environment, division of public health; powers, duties and functions of the advisory committee on trauma and the statewide trauma system regional council; continuing in existence the authority to conduct closed session meetings and keep records privileged; amending K.S.A. 75-5664 and 75-5665 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2159**, AN ACT concerning schools; relating to the student data privacy act; certain tests, questionnaires, surveys and examinations; permitting the administration thereof on an opt-out basis; providing conditions therefor; amending K.S.A. 72-6316 and repealing the existing section, by Committee on Health and Human Services.

**HB 2160**, AN ACT concerning health and healthcare; relating to certified community behavioral health clinics; establishing certification and funding processes therefor; prescribing powers, duties and functions of the Kansas department for aging and disability services and the department of health and environment related thereto, by Committee on Health and Human Services.

**HB 2161**, AN ACT concerning the Kansas state board of cosmetology; relating to powers, duties and functions thereof; changing the name of the board to the Kansas board of cosmetology, body art and tanning; creating new categories of licenses issued thereby; extending the board's enforcement authority to non-licensees; amending K.S.A. 65-1,148, 65-1812, 65-1901, 65-1902, 65-1904, 65-1904a, 65-1904b, 65-1905, 65-1906, 65-1907, 65-1908, 65-1909, 65-1912, 65-1920, 65-1940, 65-1941, 65-1947, 65-2872, 74-2701, 74-2702, 74-2703, 74-2704, 75-3036 and 75-3717 and K.S.A. 2020 Supp. 39-938 and repealing the existing sections; also repealing K.S.A. 74-2705, by Committee on Health and Human Services.

## **COMMITTEE ASSIGNMENT CHANGES**

Speaker Ryckman announced the appointment of Rep. Amyx to replace Rep. Bishop on Committee on House Insurance and Pensions on January 27, 2021.

Also, the appointment of Rep. Day to replace Rep. L. Ruiz on Committee on Federal and State Affairs on January 28, 2021.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Thursday, January 28, 2021.

# Journal of the House

## THIRTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, January 28, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 123 members present.

Rep. Bishop was excused on verified illness.

Rep. L. Ruiz was excused on legislative business.

Prayer by Chaplain Brubaker,

Loving God in heaven,  
we come before You today  
asking that you have mercy upon us.  
For our leaders I pray that  
when they are weak, You will give them strength.  
When they doubt, You will build their faith.  
When they are confused, You will give them direction.  
When they are unsure, You will give them wisdom.  
Strengthen their will that they may live in Your way.  
And remind them often that  
they can do all things through Christ who strengthens them.  
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Concannon.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2162**, AN ACT concerning census data; relating to data used in adopting senatorial and representative district boundaries; conforming law with certain amendments to the Kansas constitution and repealing certain obsolete provisions; making conforming revisions to certain references; amending K.S.A. 11-210 and K.S.A. 2020 Supp. 11-201, 17-2205 and 45-229 and repealing the existing sections; also repealing K.S.A. 11-204, 11-205, 11-206, 11-207, 11-208, 11-301, 11-302, 11-303, 11-304, 11-305, 11-306 and 11-307, by Committee on Elections.

**HB 2163**, AN ACT repealing K.S.A. 25-222, 25-1709, 25-1710, 25-4506, 25-4507 and 25-4508 and K.S.A. 2020 Supp. 25-4502, 25-4503 and 25-4505; concerning elections; relating to presidential preference primary; election-related contributions by certain corporations and stockholders, by Committee on Elections.

**HB 2164**, AN ACT concerning traffic regulations; relating to the duty of drivers approaching stationary vehicles; penalty for unlawful passing; amending K.S.A. 2020 Supp. 8-2118 and repealing the existing section; also repealing K.S.A. 2020 Supp. 8-2118c, by Committee on Transportation.

**HB 2165**, AN ACT concerning motor vehicles; relating to antique vehicles; providing that all vehicles that are more than 35 years old qualify as antique vehicles for registration purposes; amending K.S.A. 2020 Supp. 8-166 and repealing the existing section, by Committee on Transportation.

**HB 2166**, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Braden's hope for childhood cancer license plate; changing the requirements to begin production on distinctive license plates; amending K.S.A. 2020 Supp. 8-1,141 and 8-1,142 and repealing the existing sections, by Committee on Transportation.

**HB 2167**, AN ACT concerning motor vehicles; relating to license plates; permitting concrete mixer trucks and requiring dump trucks to display license plates on the front of vehicles; amending K.S.A. 2020 Supp. 8-133 and repealing the existing section, by Committee on Transportation.

**HB 2168**, AN ACT concerning motor vehicles; relating to license plates; providing for decreased license plate commitments and costs prior to distinctive license plate production; amending K.S.A. 2020 Supp. 8-1,141 and repealing the existing section, by Committee on Transportation.

**HB 2169**, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the proud educator license plate; decreasing license plate commitments prior to the production of plates; amending K.S.A. 2020 Supp. 8-1,141 and repealing the existing section, by Committee on Transportation.

**HB 2170**, AN ACT concerning the Kansas rural housing incentive district act; permitting the use of bond proceeds for vertical renovations of certain buildings for residential purposes; amending K.S.A. 12-5249 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

**HB 2171**, AN ACT concerning economic development; relating to the high performance incentive fund; providing for the transferability of tax credits; amending K.S.A. 79-32,160a and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

**HB 2172**, AN ACT concerning water; relating to the division of water resources of the department of agriculture; modifying multi-year flex accounts, base average usage calculation and fees; permitting alternative base average usage calculation and prorated terms; amending K.S.A. 82a-736 and repealing the existing section, by Committee on Water.

**HB 2173**, AN ACT concerning taxation; relating to marketplace facilitators; requiring the collection and remittance for sales, compensating use and transient guest taxes and prepaid wireless 911 fees made on platforms; providing nexus for certain retailers and removing click-through nexus provisions; amending K.S.A. 79-3702 and repealing the existing section, by Committee on Taxation.

**HB 2174**, AN ACT concerning hospitals; relating to rural hospitals; providing grant assistance to hospitals in certain counties; prescribing powers, duties and functions of the secretary of health and environment related thereto; establishing the rural hospital

innovation grant program and rural hospital innovation grant fund, by Committee on Appropriations.

**HB 2175**, AN ACT creating the Dwayne Peaslee technical training center district act, by Committee on Local Government.

**HB 2176**, AN ACT concerning cities; relating to the vacation or exclusion of territory or easements; providing procedure to challenge certain decisions of a city; amending K.S.A. 12-504 and 12-505 and repealing the existing sections, by Committee on Local Government.

**HB 2177**, AN ACT concerning municipalities; relating to the dissolution of special districts and assumption of responsibilities by cities or counties, by Committee on Local Government.

**HB 2178**, AN ACT concerning cities; relating to the vacation of certain blocks in the original town plat in the city of Americus, by Committee on Local Government.

**HB 2179**, AN ACT concerning the Kansas dental board; relating to the practice of dental therapy; education requirements; scope of practice; providing for the licensure of dental therapists; requiring adoption of rules and regulations; requiring a submission of a joint report to the legislature by the department of health and environment and the Kansas dental board: amending K.S.A. 65-1421, 65-1424, 65-1431, 65-1434, 65-1436, 65-1441, 65-1447, 65-1449, 65-1456, 65-1460, 65-1462, 65-1469, 65-4921, 65-5912, 65-7304, 74-1405, 74-1406, 75-2935 and 75-6102 and K.S.A. 2020 Supp. 65-4915 and repealing the existing sections, by Committee on Health and Human Services.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and Executive Reorganization Orders were referred to committees as indicated:

Agriculture: **HB 2155, HB 2156.**

Appropriations: **ERO 47.**

Children and Seniors: **HB 2149, HB 2150, HB 2151.**

Commerce, Labor and Economic Development: **ERO 48.**

Corrections and Juvenile Justice: **HB 2146, HB 2147.**

Health and Human Services: **HB 2157, HB 2158, HB 2159, HB 2160, HB 2161.**

Judiciary: **HB 2152, HB 2153, HB 2154.**

Taxation: **HB 2148.**

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Croft, **HR 6008**, by Reps. Croft, Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Carlin, Carlson, Carmichael, Carpenter, Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Curtis, Day, Delperdang, Dodson, Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, Johnson, Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, Ruiz, Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, Smith, Smith, Stogsdill, Sutton, Tarwater,

Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, Williams, Winn, Wolfe Moore, Woodard and Xu, as follows, was introduced and adopted:

**HR 6008**—A RESOLUTION urging the President of the United States to honor the last surviving World War II Medal of Honor recipient with a designated state funeral.

WHEREAS, World War II began in 1939 and ended in 1945; and

WHEREAS, Over 16 million Americans served their country alongside the Allied powers over the course of the war; and

WHEREAS, The men and women who served our country in World War II have been called the "greatest generation" for their selfless sacrifice; and

WHEREAS, The Medal of Honor is the highest military decoration awarded by the United States government; and

WHEREAS, The Medal of Honor is only conferred upon members of the United States Armed Forces who distinguish themselves through conspicuous gallantry at the risk of life above and beyond the call of duty while engaged in action against an enemy of the United States; and

WHEREAS, More than 3,400 Medals of Honor have been awarded to our nation's bravest soldiers, sailors, airmen, marines and coast guardsmen since the creation of the award in 1861; and

WHEREAS, The Medal of Honor was awarded to 353 Americans during World War II; and

WHEREAS, Only two of these 353 Americans are alive today; and

WHEREAS, These courageous servicemen, Charles H. Coolidge of Tennessee and Hershel Woodrow Williams of West Virginia, risked their lives while serving their country with gallantry and therefore, deserve the gratitude of the American people; and

WHEREAS, The President of the United States presents the Medal of Honor in the name of Congress; and

WHEREAS, The President of the United States has the sole authority to designate a state funeral; and

WHEREAS, Historically, the President of the United States has designated state funerals for former presidents, generals and other extraordinary Americans; and

WHEREAS, Our nation is currently divided and longs for a unifying national event; and

WHEREAS, Designating a state funeral upon the passing of the last surviving World War II Medal of Honor recipient would be a fitting way for the American people to unite and to honor all of the 16 million soldiers, sailors, airmen, marines and coast guardsmen who served in our Armed Forces from 1941 to 1945: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we urge the President of the United States to honor the last surviving World War II Medal of Honor recipient with a designated state funeral; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Croft.

There being no objection, the following remarks of Rep. Croft are spread upon the Journal:

Thank you...for the opportunity to speak on **House Resolution 6008**.

I want to thank my colleagues for the opportunity to be the voice of all 125 members of this chamber as we came together to unanimously sponsor this resolution to honor the "Greatest Generation."

I asked members prior to the beginning of the session to give me a word or two to describe the World War II generation. The words provided are below:

- Personal Responsibility
- Integrity
- Work Ethic
- Financial Prudence
- Faithful
- Committed
- Selfless
- Honorable
- Special
- Strong

The greatest generation is defined generally by AN event - World War II. That event unified the people of this nation, toward a common aim, freedom from tyranny.

We had the front lines and our Home fronts in America, all playing a role in preserving freedom all around the world.

This generation had several other outcomes:

- Establishing of the United Nations
  - Beginning of the European Union
  - Massive growth in the U.S. economy – leading the U.S. economy to be #1 in the world...
  - Massive growth in U.S. manufacturing
  - Established America as a leader in the world
  - Built the strongest and most advanced military in the world;
  - The youngest being a military member at 12, since the Civil War. There was such an incredible passion to serve.
- They deserve our highest gratitude.

When I am told "thank you for your service," I feel like I am the one who should be saying thank you especially to those who came before and set the conditions for what we enjoy today. The best reply I can give is thank you for your support.

I'd like to take a moment to recognize all the veterans in the chamber and thank them for their service. Will all the veterans stand to be recognized.

When people tell me thank you for your service it comes with a lot of responsibility

- The WWII generation fought, and many died for our freedoms
- They built a foundation for us to reach for the stars
- It is our responsibility, it is our duty, to build upon that foundation and continue the journey

As President Kennedy once said, "as we express our gratitude we must never forget that the highest appreciation is not to utter words but to LIVE them."

The World War II generation made tremendous sacrifices to preserve our democratic way of life. It is that courageous sacrifice and love for our country that we cherish and honor with this unanimous request.

Four hundred and sixty-one (461) were awarded the Medal of Honor, eight (8) from Kansas, more than the combined number from all wars and conflicts since. Those 461 represent the nations heroes and the greatest generation. Unfortunately, there are only two remaining alive.

**HR 6008** honors the greatest generation by asking President Biden to lay in state the last surviving World War II medal of honor recipient upon their passing.

Far too many of our Nation's heroes are all but forgotten to anyone other than their families. They are gone, but we shall never forget, and this resolution is our way to publicly say and demonstrate that we are grateful, thankful, appreciative, and, we are ONE TEAM, we are ONE NATION UNDER GOD!

Thank you all for this great honor to represent you today for this resolution.

#### **MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY**

On motion of Speaker pro tem Finch, **HCR 5005**, A RESOLUTION honoring COVID-19 frontline workers, was adopted.

There being no objection, the following remarks of Speaker pro tem Finch are spread upon the Journal:

Thank you, Mr. Speaker and members of the body. This resolution was originally planned to be our first vote of the session and I think that is important as it shows the priority we place on honoring those Kansans who are working on the frontlines throughout this pandemic. Front line workers have been called on to meet our state's basic needs. Frontline workers are defined as a subcategory of essential workers in occupation groups where a large majority of workers cannot feasibly work from home.

Frontline workers include: first responders and health care workers, like fire and police, emergency medical services, doctors, nurses and dentists; those working in education like our teachers, their support staff, and daycare employees who worked hard to keep educating and caring for the children of Kansas; food and agriculture workers, many of the outbreaks at the onset of the pandemic were in meatpacking facilities and other food-processing plants and we saw how important those operations were to our state; manufacturing and production which cannot be done from home; corrections workers; U.S. Postal Service workers; public transit workers; and grocery store workers who kept shelves stocked and saw numerous people come through their checkout lines with little between them and potential infection.

Our fellow Kansans have exhibited bravery and courage throughout this pandemic and kept our state running in the face of adversity. But if you asked them, they would — in stoic Kansas fashion — tell you that they are simply doing their jobs. I ask that you support **HCR 5005** with a yes vote, and that you stand with me to honor the hardworking men and women of Kansas. Thank you, Mr. Speaker.

#### **CONSENT CALENDAR**

No objection was made to **HB 2072** appearing on the Consent Calendar for the first day.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. E. Smith in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. E. Smith, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2008, HB 2022, HB 2026** be passed.

### INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hawkins pursuant to House Rule 2311, **HB 2008, HB 2022** and **HB 2026** were advanced to Final Action on Bills and Concurrent Resolutions.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2022**, AN ACT concerning oil and gas wells; relating to the state corporation commission; investigation and determination of responsibility for abandoned wells; plugging abandoned wells; abolishing the well plugging assurance fund and transferring all assets and liabilities to the abandoned oil and gas well fund; amending K.S.A. 55-150, 55-161, 55-168, 55-178, 55-179, 55-180, 55-192 and 75-3036 and K.S.A. 2020 Supp. 55-155 and repealing the existing sections; also repealing K.S.A. 55-163, 55-166 and 55-167 and K.S.A. 2020 Supp. 55-193, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Bishop, Ruiz, L..

The bill passed.

**HB 2026**, AN ACT concerning crimes, punishment and criminal procedure; relating to diversion agreements; creating a certified drug abuse treatment program for people on diversion; providing for supervision by court services or community corrections; amending K.S.A. 22-2907, 75-5291 and 75-52,144 and K.S.A. 2020 Supp. 22-2909 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not

voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Bishop, Ruiz, L..

The bill passed.

**HB 2008**, AN ACT concerning the attorney general; providing for coordination of training on missing and murdered indigenous people for law enforcement agencies, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Bishop, Ruiz, L..

The bill passed.

## REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2029, HB 2030, HB 2077** be passed.

Committee on **Elections** recommends **HB 2053** be passed.

Committee on **Elections** recommends **HB 2052** be amended on page 1, in line 19, by striking "\$120" and inserting "\$150";

Also on page 1, in the title, in line 2, by striking "\$120" and inserting "\$150"; and the bill be passed as amended.

## REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 3**, by Representative Tim Johnson honoring Bob Wiley Memorial Veterans of Foreign Wars Post 11499 on his outstanding public service.

**Request No. 4**, by Representative Jim Kelly honoring Amber Hart a teacher at Lincoln-Central Elementary, for her heroic lifesaving actions providing the Heimlich maneuver to a first grade student.

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hawkins, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2180**, AN ACT concerning electric public utilities; relating to the state corporation commission; approval of transmission delivery charges through electric rate proceedings; amending K.S.A. 66-1237 and repealing the existing section, by Committee on Energy, Utilities and Telecommunications.

**HB 2181**, AN ACT concerning the state corporation commission; relating to electric public utilities; regional electric rates; report to the legislature; amending K.S.A. 66-117b and repealing the existing section, by Committee on Energy, Utilities and Telecommunications.

**HB 2182**, AN ACT concerning workforce development; relating to education; establishing the Kansas promise scholarship act; authorizing payment of tuition for students who are dually or concurrently enrolled in high school and postsecondary school; requiring school districts to insure against injury or loss during work-based learning programs; amending K.S.A. 72-18,101, 72-18,102, 72-3220, 72-3221, 72-3222, 72-3223, 72-3224 and 75-53,112 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

**HB 2183**, AN ACT concerning elections; prohibiting the governor, the executive branch and the judicial branch from altering election laws; limiting the authority of the secretary of state from entering into consent decrees with any court without legislative coordinating council approval; repealing K.S.A. 25-622, by Committee on Elections.

**COMMITTEE ASSIGNMENT CHANGES**

Speaker Ryckman announced the appointment of Rep. Ballard to replace Rep. Bishop on Committee on Elections on January 28, 2021.

Also, the appointment of Rep. Stogsdill to replace Rep. L. Ruiz on Committee on Commerce, Labor and Economic Development on January 28, 2021.

On motion of Rep. Hawkins the House adjourned pro forma until 8:30 a.m. on Friday, January 29, 2021.

# Journal of the House

FOURTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, January 29, 2021, 8:30 a.m.

The House met session pro forma pursuant to adjournment with Speaker Ryckman in the chair.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2174.**

Commerce, Labor and Economic Development: **HB 2170, HB 2171, HB 2182.**

Elections: **HB 2162, HB 2163, HB 2183.**

Energy, Utilities and Telecommunications: **HB 2180, HB 2181.**

Health and Human Services: **HB 2179.**

Local Government: **HB 2175, HB 2176, HB 2177, HB 2178.**

Taxation: **HB 2173.**

Transportation: **HB 2164, HB 2165, HB 2166, HB 2167, HB 2168, HB 2169.**

Water: **HB 2172.**

## MESSAGES FROM THE SENATE

Announcing adoption of **HCR 5001, HCR 5003.**

## REPORT ON ENROLLED RESOLUTIONS

**HR 6004** reported correctly enrolled and properly signed on January 29, 2021.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Monday, February 1, 2021.

# Journal of the House

FIFTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, February 1, 2021, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Ryckman in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2184**, AN ACT concerning health and healthcare; enacting the Kansas medical marijuana regulation act; relating to medical cannabis; licensure and regulation of the manufacture, transportation and sale of medical cannabis; providing certain fines and penalties for violations; amending K.S.A. 44-1009, 44-1015, 65-28b08, 79-5201 and 79-5210 and K.S.A. 2020 Supp. 21-5703, 21-5705, 21-5706, 21-5707, 21-5709, 21-5710, 23-3201, 38-2269, 44-501, 44-706 and 65-1120 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2185**, AN ACT concerning income taxation; enacting the Kansas taxpayer protection act; relating to paid tax return preparers; requiring a signature and tax identification number on returns and claims; authorizing actions by the secretary of revenue to enjoin certain conduct, by Committee on Taxation.

**HB 2186**, AN ACT concerning income taxation; relating to apportionment of business income; sales factor for certain taxpayers; election; amending K.S.A. 79-3271 and 79-3279 and repealing the existing sections, by Committee on Taxation.

**HB 2187**, AN ACT establishing the first-time home buyer savings account act; relating to financial institutions; providing for addition and subtraction modifications for contributions to first-time home buyer savings accounts under the Kansas income tax act; amending K.S.A. 79-32,117 and repealing the existing section, by Committee on Taxation.

**HB 2188**, AN ACT concerning state agencies; relating to contracts for information technology projects; review by the joint committee on information technology; amending K.S.A. 46-2102 and 75-7209 and repealing the existing sections, by Committee on Appropriations.

**HB 2189**, AN ACT concerning the uniform consumer credit code; relating to consumer loans; providing restrictions and requirements for certain alternative small installment loans; requiring lender reporting; amending K.S.A. 16a-2-308, 16a-2-401, 16a-2-404 and 16a-2-501 and repealing the existing sections, by Committee on Judiciary.

**HB 2190**, AN ACT concerning civil actions; relating to habeas corpus; defining successive motions; clarifying what constitutes new evidence and time limitations; amending K.S.A. 2020 Supp. 60-1507 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2191**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against the public peace; increasing criminal penalties for riot and incitement to riot in a correctional facility; amending K.S.A. 2020 Supp. 21-6201 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2192**, AN ACT concerning drivers' licenses; relating to replacement drivers' licenses; court services and community corrections agencies; issuance of identification certificate; use to obtain replacement driver's license; amending K.S.A. 2020 Supp. 8-246 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2193**, AN ACT concerning motor vehicles; relating to driving privileges; revocation, suspension or restrictions thereof; fines and application fees; amending K.S.A. 2020 Supp. 8-262 and 8-2110 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 8-2110b, by Committee on Corrections and Juvenile Justice.

**HB 2194**, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the alpha kappa alpha license plate, by Representatives Finney and Ohaebosim.

#### COMMUNICATIONS FROM STATE OFFICERS

From Herman T. Jones, Superintendent, Kansas Highway Patrol, pursuant to KSA 60-4117, Annual Report regarding State Forfeiture Funds.

The complete report is kept on file and open for inspection in the office of the Chief Clerk.

#### REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2045** be amended on page 2, in line 24, by striking "its next series of funding" and inserting "any additional funds";

On page 3, in line 32, after "liability" by inserting "at the time of the investment in a qualified Kansas business";

On page 6, in line 4, after "investors" by inserting "who lawfully make an investment"; also in line 4, by striking all after "shall"; in line 5, by striking all before "under" and inserting "not have tax credits disallowed solely due to the business losing its designation as a qualified Kansas business"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2090** be amended on page 2, in line 28, after "elected" by inserting "state"; in line 30, after "(B)" by inserting "If the officer is an elected official of a political subdivision, the form shall be filed with the county clerk of the county containing the largest portion of the territory of the political subdivision.

(C)";

Also on page 2, in line 39, by striking "the" and inserting "a partisan"; in line 42, by striking "the" and inserting "an elective office that is nonpartisan and for an"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2056** be passed.

Committee on **Judiciary** recommends **HB 2071, HB 2082** be passed.

Committee on **Judiciary** recommends **HB 2050** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Judiciary** recommends **HB 2049** be amended by substituting with a new bill to be designated as "Substitute for HOUSE BILL NO. 2049," as follows:

"Substitute for HOUSE BILL NO. 2049

By Committee on Judiciary

"AN ACT concerning the legislative division of post audit; relating to audits; prohibiting a public agency from charging a fee for records requested therefor; amending K.S.A. 2020 Supp. 46-1114 and repealing the existing section."; and the substitute bill be passed.

(**Sub HB 2049** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **HB 2079** be amended on page 1, following line 7, by inserting:

"New Section 1. There is hereby created in the state treasury the charitable organizations fee fund. The attorney general shall remit all moneys received pursuant to the charitable organizations and solicitations act 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 charitable organizations fee fund. Moneys in the charitable organizations fee fund shall be used by the attorney general to carry out the provisions and purposes of the charitable organizations and solicitations act. All expenditures from the charitable organizations fee 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 attorney general or a person designated by the attorney general.

New Sec. 2. The attorney general shall have the legal custody of all records, memoranda, writings, entries, prints, representations or combinations thereof of any act, transaction, occurrence or event of the secretary of state relating to the charitable organizations and solicitations act.

Sec. 3. K.S.A. 17-1759 is hereby amended to read as follows: 17-1759. ~~This act K.S.A. 17-1759 through 17-1776, and amendments thereto and section 2, and amendments thereto, shall be known and~~ may be cited as the "charitable organizations and solicitations act."

Sec. 4. K.S.A. 2020 Supp. 17-1762 is hereby amended to read as follows: 17-1762. The following persons shall not be required to register with the ~~secretary of state attorney general~~:

(a) State educational institutions under the control and supervision of the state board of regents, unified school districts, educational interlocals, educational cooperatives, area vocational-technical schools, all educational institutions that are accredited by a regional accrediting association or by an organization affiliated with the national commission of accrediting, any foundation having an established identity with any of the aforementioned educational institutions, any other educational institution

confining its solicitation of contributions to the student body, alumni, faculty and trustees of such institution, and their families, or a library established under the laws of this state, provided that the annual financial report of such institution or library shall be filed with the attorney general;

(b) fraternal, patriotic, social, educational, alumni organizations and historical societies when solicitation of contributions is confined to their membership. This exemption shall be extended to any subsidiary of a parent or superior organization exempted by this subsection where such solicitation is confined to the membership of the subsidiary, parent or superior organization;

(c) persons requesting any contributions for the relief or benefit of any individual, specified by name at the time of the solicitation, if the contributions collected are turned over to the named beneficiary, first deducting reasonable expenses for costs of banquets, or social gatherings, if any, provided all ~~fund-raising~~ fundraising functions are carried on by persons who are unpaid, directly or indirectly, for such services;

(d) any charitable organization ~~which that~~ does not intend to solicit and receive and does not actually receive contributions in excess of \$10,000 during such organization's tax period, as defined by K.S.A. 17-7501, and amendments thereto, if all of such organization's ~~fund-raising~~ fundraising functions are carried on by persons who are unpaid for such services. ~~However,~~ If the gross contributions received by such charitable organization during any such tax period is in excess of \$10,000, such organization, within 30 days after the end of such tax period, shall register with the ~~secretary of state~~ attorney general as provided in K.S.A. 17-1763, and amendments thereto;

(e) any incorporated community chest, united fund, united way or any charitable organization receiving an allocation from an incorporated community chest, united fund or united way;

(f) a bona fide organization of volunteer firemen, or a bona fide auxiliary or affiliate of such organization, if all ~~fund-raising~~ fundraising activities are carried on by members of such organization or an affiliate thereof and such members receive no compensation, directly or indirectly, therefor;

(g) any charitable organization operating a nursery for infants awaiting adoption if all ~~fund-raising~~ fundraising activities are carried on by members of such an organization or an affiliate thereof and such members receive no compensation, directly or indirectly, therefor;

(h) any corporation established by the federal congress that is required by federal law to submit annual reports of such corporation's activities to congress containing itemized accounts of all receipts and expenditures after being duly audited by the department of defense or other federal department;

(i) any girls' club ~~which that~~ is affiliated with the girls' club of America, a corporation chartered by congress, if such an affiliate properly files the reports required by the girls' club of America and that the girls' club of America files with the government of the United States the reports required by such federal charter;

(j) any boys' club ~~which that~~ is affiliated with the boys' club of America, a corporation chartered by congress, if such an affiliate properly files the reports required by the boys' club of America and that the boys' club of America files with the government of the United States the reports required by such federal charter;

(k) any corporation, trust or organization incorporated or established for religious

purposes, or established for charitable, hospital or educational purposes and engaged in effectuating one or more of such purposes, that is affiliated with, operated by or supervised or controlled by a corporation, trust or organization incorporated or established for religious purposes, or to any other religious agency or organization which serves religion by the preservation of religious rights and freedom from persecution or prejudice or by fostering religion, including the moral and ethical aspects of a particular religious faith;

(l) the boy scouts of America and the girl scouts of America, including any regional or local organization affiliated therewith;

(m) the young men's christian association and the young women's christian association, including any regional or local organization affiliated therewith;

(n) any licensed medical care facility—~~which that~~ is organized as a nonprofit corporation under the laws of this state;

(o) any licensed community mental health center or licensed mental health clinic;

(p) any licensed community center for people with intellectual disability and its affiliates as determined by the Kansas department for aging and disability services;

(q) any charitable organization of employees of a corporation whose principal gifts are made to an incorporated community chest, united fund or united way, and whose solicitation is limited to such employees;

(r) any community foundation or community trust to which deductible contributions can be made by individuals, corporations, public charities and private foundations, as well as other charitable organizations and governmental agencies for the overall purposes of the foundation or to particular charitable and endowment funds established under agreement with the foundation or trust for the charitable benefit of the people of a specific geographic area and—~~which that~~ is a nonprofit organization exempt from federal income taxation pursuant to section 501(a) of the internal revenue code of 1986, as in effect on the effective date of this act, by reason of qualification under section 501(c)(3) of the internal revenue code of 1986, as in effect on the effective date of this act, and—~~which that~~ is deemed a publicly supported organization and not a private foundation within the meaning of section 509(a)(1) of the internal revenue code of 1986, as in effect on the effective date of this act;

(s) any charitable organization—~~which that~~ does not intend to or does not actually solicit or receive contributions from more than 100 persons;

(t) any charitable organization the funds of which are used to support an activity of a municipality of this state;

(u) the junior league, including any local community organization affiliated therewith; and

(v) any charitable organization that is an animal shelter licensed pursuant to K.S.A. 47-1701 et seq., and amendments thereto.

Sec. 5. K.S.A. 17-1763 is hereby amended to read as follows: 17-1763. (a) Except for charitable organizations exempt under K.S.A. 17-1762, and amendments thereto, no charitable organization shall solicit funds in this state, nor employ a professional fund raiser to solicit funds in this state, for any charitable purpose, unless such organization has filed ~~with the office of the secretary of state of the state of Kansas~~, a registered statement with the attorney general prior to solicitation.

(b) ~~The secretary of state~~ attorney general shall prescribe registration forms—~~which that~~ shall be signed and sworn to by two authorized officers of the organization,

including the chief fiscal officer, and ~~which~~ shall include the following information about such organization's activities in this state:

(1) The name of the organization and the name or names under which it intends to solicit;

(2) the purpose for which such organization was organized;

(3) the principal mailing address and street address of the organization and the mailing addresses and street addresses of any offices in this state;

(4) the names and mailing addresses and street addresses of any subsidiary or subordinate chapters, branches or affiliates in this state;

(5) the place where and the date when the organization was legally established, the form in which such organization is organized and a reference to any determination of such organization's tax-exempt status, if any, under the federal internal revenue code of 1986;

(6) the names and mailing addresses and street addresses of the officers, directors, trustees and principal salaried employees of the organization;

(7) the name and mailing address and street address of the person having custody of such organization's financial records;

(8) the names of the individuals or officers of the organization who will have responsibility for the custody of the contributions;

(9) the names of the individuals or officers of the organization who will have responsibility for the distribution of the contributions;

(10) the names of the individuals or officers of the organization who will have responsibility for the conduct of solicitation activities;

(11) the general purposes for which the organization intends to solicit contributions;

(12) a statement indicating whether the organization intends to solicit contributions directly or have such solicitation done on such organization's behalf by others and naming any professional fund raiser the organization intends to use;

(13) a statement indicating whether the organization is authorized by any other governmental authority to solicit contributions and whether such organization is or has ever been enjoined by any court from soliciting contributions;

(14) the cost of ~~fund-raising~~ fundraising incurred or anticipated to be incurred by the organization, including a statement of such costs as a percentage of contributions received; and

(15) a copy of the federal income tax return of the charitable organization, if the charitable organization is required to file such; otherwise a financial statement covering complete disclosure of the fiscal activities of the organization during the preceding year. The financial statement shall be submitted on forms approved by the ~~secretary of state~~ attorney general, signed and sworn by at least two authorized officers of the organization, including the chief fiscal officer. Such financial statement shall include a balance sheet and statement of income and expense, clearly setting forth the following: Gross receipts and gross income from all sources, broken down into total receipts and income from each separate solicitation project or source; cost of administration; cost of solicitation; cost of programs designed to inform or educate the public; funds or properties transferred out of this state, with explanation as to recipient and purpose; and total net amount disbursed or dedicated for each major purpose, charitable or otherwise.

(c) A charitable organization that received contributions in excess of \$500,000

during the organization's most recently completed fiscal year shall file, in addition to the federal income tax returns or the statement required by subsection (b), an audited financial statement for the charitable organization's most recently completed fiscal year, prepared in accordance with generally accepted accounting principles, and the opinion of an independent certified public accountant on the financial statement.

(d) Upon receipt of ~~any such a~~ proper registration and payment of applicable fees, the ~~secretary of state~~ attorney general shall issue a charitable solicitation license and identification number. All certificates of registration and identification numbers issued to charitable organizations shall expire on the last day of the sixth month following the month in which the fiscal year of the charitable organization ends.

(e) Every charitable organization required to register with the ~~secretary of state~~ attorney general shall pay a fee of ~~\$20~~ \$25 with each registration.

(f) (1) The ~~secretary of state~~ attorney general may adopt rules and regulations necessary for the administration of ~~this the~~ charitable organizations and solicitations act.

(2) All rules and regulations, orders, directives and standards of the secretary of state relating to the charitable organizations and solicitations act that are in effect on June 30, 2021, shall be deemed to be the rules and regulations, orders, directives and standards of the attorney general and shall continue to be effective until amended, revoked or nullified pursuant to law.

Sec. 6. K.S.A. 17-1764 is hereby amended to read as follows: 17-1764. ~~(a) No~~ person shall act as a professional fund raiser for a charitable organization or for any religious organization as described in ~~subsection (k) of~~ K.S.A. 17-1762~~(k)~~, and amendments thereto, before such person has registered with the ~~secretary of state~~ attorney general or after the expiration or cancellation of such registration or any renewal of such registration.

~~(b) Applications~~ An application for registration ~~and reregistration or renewal~~ shall be in writing and under oath in the form prescribed by the ~~secretary of state~~ attorney general. Registration ~~or reregistration~~ shall be in effect for a period of one year, or a part thereof, expiring on June 30, and may be renewed ~~upon written application, under oath, in the form prescribed by the secretary of state~~ for additional ~~one year~~ one-year periods.

~~(c) Every professional fund raiser required to register pursuant to this act with the attorney general shall:~~

~~(1) Pay a fee of \$25 with each registration or renewal; and~~

~~(2) file an annual written report with the secretary of state~~ attorney general containing such information as the ~~secretary~~ attorney general may require by ~~rule and regulation~~ rules and regulations adopted pursuant to K.S.A. 17-1763, and amendments thereto.

Sec. 7. K.S.A. 17-1765 is hereby amended to read as follows: 17-1765. ~~(a) No~~ person shall act as a professional solicitor in the employ of a professional fund raiser before such person has registered with the ~~secretary of state~~ attorney general or after the expiration or cancellation of such registration or any renewal of such registration.

~~(b) An application for registration or reregistration~~ renewal shall be in writing, ~~and~~ under oath ~~and~~ in the form prescribed by the ~~secretary of state~~. Upon receipt of any such registration, the ~~secretary of state~~ shall issue a professional solicitor's license and identification number attorney general. ~~Such registration or reregistration~~ Registration shall be in effect for a period of one year, or a part thereof, expiring on June 30, and may be renewed ~~upon written application, under oath, in the form prescribed by the~~

~~secretary of state for an additional one-year period for additional one-year periods.~~

(c) Upon receipt of a proper registration or renewal and payment of applicable fees, the attorney general shall issue a professional solicitor's license and identification number.

(d) Every professional solicitor required to register with the attorney general shall pay a fee of \$25 with each registration or renewal.

Sec. 8. K.S.A. 17-1766 is hereby amended to read as follows: 17-1766. All solicitations by professional solicitors shall contain the following disclosures at the point of solicitation:

- (a) The name, address and telephone number of the charitable organization;
- (b) the registration number, obtained pursuant to K.S.A. 17-1763, and amendments thereto, for the charitable organization;
- (c) if the solicitation is made by a person acting as a professional solicitor, the registration number obtained pursuant to K.S.A. 17-1765, and amendments thereto; and
- (d) that an annual financial report required by K.S.A. 17-1763, and amendments thereto, for the preceding fiscal year is on file with the ~~secretary of state~~ attorney general.

Sec. 9. K.S.A. 17-1769 is hereby amended to read as follows: 17-1769. The following acts and practices are hereby declared unlawful as applied to the planning, conduct or execution of any solicitation or charitable purpose:

- (a) Operating in violation of, or failing to comply with, any of the requirements of ~~this the charitable organizations and solicitations~~ act;
- (b) utilizing any deceptive acts or practices whether or not any person has in fact been misled. Deceptive acts or practices include, but are not limited to, the following:
  - (1) The intentional use in any solicitation of exaggeration, innuendo or ambiguity as to a material fact; and
  - (2) the intentional failure to state a material fact, or the intentional concealment, suppression or omission of a material fact in any solicitation;
- (c) utilizing any unconscionable acts or practices. An unconscionable act or practice violates ~~this the charitable organizations and solicitations~~ act whether it occurs before, during or after the solicitation.
  - (1) The unconscionability of an act or practice is a question for the court.
  - (2) In determining whether an act or practice is unconscionable, the court shall consider circumstances ~~which~~ that the charitable organization or fund raiser knew or had reason to know including, but not limited to, the following:
    - (A) Taking advantage of a person's inability to reasonably protect such person's interests because of the person's physical infirmity, ignorance, illiteracy, inability to understand the language of a solicitation or similar factor; and
    - (B) using undue pressure in soliciting;
  - (d) utilizing any representation that implies the contribution is for or on behalf of a charitable organization or utilizing any emblem, device or printed matter belonging to or associated with a charitable organization, without obtaining authorization in writing from the charitable organization;
  - (e) utilizing a name, symbol or statement so closely related or similar to that used by another charitable organization that the use thereof would tend to confuse or mislead a solicited person, whether or not any person has in fact been misled;
  - (f) misrepresenting or misleading any person in any manner to believe that the

person on whose behalf a solicitation or charitable purpose is being conducted is a charitable organization;

(g) using donations for purposes other than those stated in an organization's articles of incorporation or current registration statements filed with the ~~secretary of state attorney general~~;

(h) using donations for purposes other than those stated in solicitations;

(i) using donations for other than charitable purposes;

(j) misrepresenting or misleading any person in any matter, to believe that any other person or governmental unit sponsors, endorses or approves such solicitation or charitable purpose when such other person has not given consent in writing to the use of such person's name for these purposes; and

(k) utilizing or exploiting the fact of registrations so as to lead any person to believe that such registration in any manner constitutes an endorsement or approval by the state.

Sec. 10. K.S.A. 17-1771 is hereby amended to read as follows: 17-1771. Registration under ~~this~~ the charitable organizations and solicitations act shall not be deemed to constitute an endorsement by the state of Kansas of any registering charitable organization, professional fund raiser or professional solicitor. It shall be unlawful for any charitable organization, professional fund raiser or professional solicitor to represent, directly or indirectly, by advertising or any other manner, that such charitable organization, professional fund raiser or professional solicitor has registered or otherwise complied with the provisions of ~~this~~ the charitable organizations and solicitations act, for the purpose of solicitation and collection of funds for charitable purposes. The ~~secretary of state attorney general~~ shall cancel the registration of any organization, professional fund raiser or professional solicitor that violates the provisions of this section.

Sec. 11. K.S.A. 17-1772 is hereby amended to read as follows: 17-1772. (a) The secretary of state attorney general may enter into reciprocal agreements relating to the charitable organizations and solicitations act with a like authority of any other state or states for the purpose of exchanging information made available to the secretary of state attorney general or to such other like authority.

(b) All reciprocal agreements entered into by the secretary of state relating to the charitable organizations and solicitations act that are in effect on June 30, 2021, shall be deemed to be reciprocal agreements entered into by the attorney general and shall continue to be effective until amended, revoked or nullified pursuant to law.

Sec. 12. K.S.A. 46-236 is hereby amended to read as follows: 46-236. (a) No state officer or employee, candidate for state office or state officer elect shall solicit any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service from any person known to have a special interest, under circumstances where such officer, employee, candidate or state officer elect knows or should know that a major purpose of the donor in granting the same could be to influence the performance of the official duties or prospective official duties of such officer, employee, candidate or state officer elect.

(b) Except when a particular course of official action is to be followed as a condition thereon, this section shall not apply to: (1) Any contribution reported in compliance with the campaign finance act; (2) a commercially reasonable loan or other commercial transaction in the ordinary course of business; (3) any solicitation for the

benefit of any charitable organization ~~which is required to file a registration statement with the secretary of state attorney general pursuant to K.S.A. 17-1761, and amendments thereto, or which is exempted from filing such statement pursuant to K.S.A. 17-1762, and amendments thereto, or for the benefit of any educational institution or such institution's endowment association, if such association has qualified as a nonprofit organization under paragraph (3) of subsection (e) of section 501(c)(3) of the internal revenue code of 1986, as amended; (4) any solicitation for the benefit of any national nonprofit, nonpartisan organization established for the purpose of serving, informing, educating and strengthening state legislatures in all states of the nation; or (5) any solicitation for the benefit of any national, nonprofit organization established for the purpose of serving, informing and educating elected executive branch officials in all states of the nation.~~;

On page 6, in line 19, after "K.S.A." by inserting "17-1759, 17-1763, 17-1764, 17-1765, 17-1766, 17-1769, 17-1771, 17-1772, 46-236,"; in line 20, after "75-458" by inserting "and K.S.A. 2020 Supp. 17-1762";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "charitable organizations; increasing fees for certain charitable organizations; creating the charitable organizations fee fund; relating to"; in line 4, after "K.S.A." by inserting "17-1759, 17-1763, 17-1764, 17-1765, 17-1766, 17-1769, 17-1771, 17-1772, 46-236,"; in line 5, after the second "and" by inserting "K.S.A. 2020 Supp. 17-1762 and"; and the bill be passed as amended.

### COMMITTEE ASSIGNMENT CHANGE

Speaker Ryckman announced the appointment of Rep. Haswood to replace Rep. Bishop on Committee on Insurance and Pensions on February 1, 2021.

On motion of Rep. Hawkins, the House recessed until 12:00 p.m.

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### NOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2195**, AN ACT concerning employment security; crediting or refunding employer accounts for fraudulent or erroneous payments; transferring moneys from the state general fund to the unemployment insurance trust fund for improper benefit payments; holding employers harmless for such payments; amending K.S.A. 2020 Supp. 44-710 and 44-710b and repealing the existing sections, by Committee on K-12 Education Budget.

**HB 2196**, AN ACT concerning employment security; creating the unemployment compensation modernization and improvement council; providing for development of a new unemployment insurance information technology system; claimant tax information; website publication of trust fund data; maximum benefit period; charging of employer accounts for benefits paid; employer contribution rate determination and schedules; abolishing the employment security interest assessment fund; crediting employer accounts for fraudulent or erroneous payments; transferring moneys from the state general fund to the unemployment insurance trust fund for improper benefit payments; services performed by petroleum landmen; lessor employment unit employee leasing restrictions; relating to other unemployment trust fund provisions; shared work compensation program; amending K.S.A. 44-758 and K.S.A. 2020 Supp. 44-703, 44-704, 44-710, 44-710a, 44-710b and 44-757 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Tuesday, February 2, 2021.

# Journal of the House

SIXTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, February 2, 2021, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Ryckman in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2197**, AN ACT concerning property taxation; relating to buildings and improvements destroyed or substantially destroyed by natural disaster; amending K.S.A. 79-1613 and repealing the existing section, by Representatives T. Johnson and Neelly.

**HB 2198**, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; providing affiliation and membership of certain local adult and juvenile corrections employees, by Committee on Insurance and Pensions.

**HB 2199**, AN ACT concerning gaming; relating to the Kansas expanded lottery act; authorizing sports wagering; amending K.S.A. 46-2301, 74-8702, 74-8710, 74-8711, 74-8716, 74-8718, 74-8733, 74-8734, 74-8741, 74-8751, 74-8752, 74-8757, 74-8760, 74-8761, 75-6202, 75-6204, 75-6217 and 79-4806 and K.S.A. 2020 Supp. 21-6403 and 21-6507 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2200**, AN ACT concerning children and minors; relating to risk and needs assessment for certain children in need of care; allowing for overall case length limit extensions for certain juvenile offenders; requiring the department of corrections to create juvenile justice database systems; increasing use of evidence-based programs account money; amending K.S.A. 75-52,162 and 75-52,164 and K.S.A. 2020 Supp. 38-2203, 38-2304 and 38-2391 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2201**, AN ACT concerning transportation; relating to the Eisenhower legacy transportation program; decreasing the threshold amount required for alternate delivery projects; providing for the usage of federal stimulus funds for certain projects; calculating KDOT bonding and debt cap authority; amending K.S.A. 68-2320 and 68-2328 and K.S.A. 2020 Supp. 68-2314c, 68-2332 and 75-5094 and repealing the existing sections, by Committee on Transportation.

**HB 2202**, AN ACT enacting the Kansas death with dignity act; allowing certain terminally ill adults to request and receive life-ending medication, by Representative Gartner.

**HB 2203**, AN ACT concerning the Kansas asbestos control program; creating the asbestos remediation fund, fees and purposes; amending K.S.A. 65-5309 and 65-5314

and repealing the existing sections, by Committee on Appropriations.

**HB 2204**, AN ACT concerning agriculture; relating to the labeling of certain foods; prohibiting the use of identifiable meat terms on labels of meat analogs without use of proper qualifying language; amending K.S.A. 65-656 and 65-665 and repealing the existing sections, by Committee on Agriculture.

**HB 2205**, AN ACT concerning legal notices; authorizing publication of legal notices on city, county, school district and other internet websites; amending K.S.A. 12-1651 and 64-101 and repealing the existing sections, by Committee on Energy, Utilities and Telecommunications.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2188, HB 2195.**

Commerce, Labor and Economic Development: **HB 2196.**

Corrections and Juvenile Justice: **HB 2190, HB 2191, HB 2192, HB 2193.**

Federal and State Affairs: **HB 2184.**

Financial Institutions and Rural Development: **HB 2187, HB 2189.**

Taxation: **HB 2185, HB 2186.**

Transportation: **HB 2194.**

## CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2122** from Committee on Federal and State Affairs and referral to Committee on Judiciary.

Also, the withdrawal of **HB 2158** from Committee on Health and Human Services to Committee on Financial Institutions and Rural Development.

## MESSAGES FROM THE SENATE

Announcing passage of **SB 15, SB 21, SB 27, SB 28, SB 29, SB 33, SB 47.**

## INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

**SB 15, SB 21, SB 27, SB 28, SB 29, SB 33, SB 47.**

## REPORTS OF STANDING COMMITTEES

Committee on **Insurance and Pensions** recommends **HB 2074** be passed.

Committee on **Water** recommends **HB 2005** be passed.

## REPORT ON ENROLLED RESOLUTIONS

**HR 6008** reported correctly enrolled and properly signed on February 2, 2021.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Wednesday, February 3, 2021.

# Journal of the House

## SEVENTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, February 3, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 125 members present.

Prayer by Rep. Humphries.

Let us pray.

Dear Lord, You alone are our majesty and ruler.

Our souls wait in silence, for our salvation comes from You alone.

You alone are our rock and our salvation, and our fortress.

Because of you we shall not be greatly shaken.

Lord, we need your guidance for this day, for this session.

Please help us act in love and in wisdom.

And may You be glorified.

In Your name we pray.

Amen.

The Pledge of Allegiance was led by Rep. Haswood.

### PERSONAL PRIVILEGE

There being no objection the following remarks of Rep. Victors are spread upon the Journal:

Good morning! I wanted to take this time to acknowledge this very special day, Native American Legislative Day. This day occurs on the first Wednesday of every February and was made a law in 2012 signed by Governor Brownback. Native American Legislative Day is where the 4 tribes of Kansas: Prairie Band Potawatomi Nation, Kickapoo tribe of Kansas, Iowa tribe of Kansas and Nebraska, and the Sac and Fox Nation of Kansas come to the Capitol to meet with the state officials to strengthen their government-to-government relationship. Due to the pandemic, the tribal leaders will not be in attendance this year.

I want to acknowledge and bring attention to the horrible and the devastating impact that COVID-19 has had on our local tribes as well as Native American tribes across the country. Unfortunately, the COVID-19 positive cases continue to rise in local tribal communities due to high health complications, poverty, and limited opportunities to practice social distancing. Tribal nations have been doing their best to protect their communities especially the elders and children. However, many tribes have suffered a

great loss by losing their elders to the pandemic. Elders are the protectors of our rich cultural heritage, traditions, and tribal language. Some of our Kansas tribes are in mourning and I ask that you please remember to keep them in your thoughts and prayers. Weblahah!

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2206**, AN ACT concerning health and healthcare; relating to the practice of telemedicine; pertaining to the Kansas telemedicine act; updating certain definitions; requiring referral to specialists and coordination of care under certain circumstances; amending K.S.A. 2020 Supp. 40-2,211 and 40-2,212 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2207**, AN ACT concerning health and healthcare; relating to behavioral and mental health; prohibiting certain licensed individuals from using conversion therapy on minors; amending K.S.A. 65-2837 and 74-7507 and K.S.A. 2020 Supp. 40-2,215, 40-2,216 and 65-1120 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2208**, AN ACT concerning the behavioral sciences; relating to the behavioral sciences regulatory board; professions regulated thereby; reducing certain licensing requirements; requiring board approval to provide clinical social worker supervision; expanding the board's grounds for discipline; expanding temporary permits to practice and imposing requirements for extension thereof; amending K.S.A. 65-5804a, 65-5807a, 65-5808, 65-5809, 65-6309a, 65-6311, 65-6314, 65-6404, 65-6405a, 65-6408, 65-6610, 65-6612, 65-6615, 74-5316a, 74-5324, 74-5363, 74-5367a and 74-5369 and K.S.A. 2020 Supp. 65-6306 and 65-6411 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2209**, AN ACT concerning the behavioral sciences; relating to psychology; practice and licensing thereof; enacting the psychology interjurisdictional compact; providing for interjurisdictional authorization to practice telepsychology and temporary in-person, face-to-face psychology, by Committee on Health and Human Services.

**HB 2210**, AN ACT concerning crimes, punishment and criminal procedure; creating the crime of unlawful gender reassignment service; providing grounds for unprofessional conduct for healing arts licensees; amending K.S.A. 65-2837 and repealing the existing section, by Representatives Fairchild, Garber, Helmer and Rhiley.

**HB 2211**, AN ACT concerning insurance; relating to the Kansas automobile injury reparations act; pertaining to the owner's failure to maintain financial security; requiring law enforcement to impound the vehicles of certain uninsured owners; amending K.S.A. 2020 Supp. 40-3104 and repealing the existing section, by Representative Rhiley.

**HB 2212**, AN ACT concerning alcoholic liquor; relating to the liquor control act; eligibility for licensure; eliminating residency requirements; amending K.S.A. 2020 Supp. 41-311, 41-311b, 41-2623 and 41-2703 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2213**, AN ACT concerning townships; relating to the purchase of property and construction of buildings; amending K.S.A. 80-104 and repealing the existing section, by Committee on Local Government.

**HB 2214**, AN ACT concerning state property; authorizing the secretary of administration on behalf of the department of corrections to convey land in Mitchell county to the city of Beloit; providing the procedure for the conveyance; relating to the payment of costs; requiring approval by the attorney general, by Representative Concannon.

**HB 2215**, AN ACT concerning social welfare; relating to the supplemental nutrition assistance program; allowing persons with felony drug convictions to receive assistance; amending K.S.A. 2020 Supp. 39-709 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2216**, AN ACT concerning transportation; relating to wrecker or towing services; establishing maximum rates for wrecker and towing services; permitting additional storage and service fees when certain conditions exist; amending K.S.A. 2020 Supp. 8-1103 and repealing the existing section, by Committee on Transportation.

**HB 2217**, AN ACT concerning drivers' licenses; relating to certain restrictions; exclusion from the additional 90-day period for suspended or revoked licenses; eligibility for restricted driving privileges; removing and delaying payment for fees that apply to individuals for failure to comply with a traffic citation; amending K.S.A. 2020 Supp. 8-262 and 8-2110 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 8-2110b, by Committee on Transportation.

**HB 2218**, AN ACT concerning the Kansas state employees health care commission; changing membership thereon to include a current and retired state employee enrolled in the state healthcare benefits program group health insurance medical plan; amending K.S.A. 75-6502 and repealing the existing section, by Representative Bergquist.

**HB 2219**, AN ACT concerning income taxation; relating to credits; establishing a tax credit to incentivize employers to employ persons with developmental disabilities; creating the Kansas targeted employment act, by Committee on Commerce, Labor and Economic Development.

**HB 2220**, AN ACT concerning public employees; relating to hiring and promotion preferences; providing for a preference for persons with a disability, by Committee on Commerce, Labor and Economic Development.

**HB 2221**, AN ACT concerning STAR bonds; relating to the financing of STAR bond projects and rural redevelopment projects; eligible areas; major business facility; real estate transfers; plan for tracking the number of visitors; feasibility study requirements; capital investment and annual sales requirements; STAR bond districts; contiguity; project costs; sunset date; amending K.S.A. 2020 Supp. 12-17,162, 12-17,166, 12-17,169, 12-17,171 and 12-17,179 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

**HB 2222**, AN ACT concerning firearms; relating to the Kansas bureau of investigation; enacting the Kansas voluntary do-not-sell firearms list act; relating to penalties for violations of such act; amending K.S.A. 2020 Supp. 21-6301 and repealing the existing section, by Representative Ousley.

**HB 2223**, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal sodomy, aggravated criminal sodomy and aggravated sexual battery; creating criminal liability for such offenses when consent was obtained through a knowing misrepresentation; amending K.S.A. 2020 Supp. 21-5504 and 21-5505 and repealing the existing sections, by Committee on Judiciary.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Agriculture: **HB 2204, SB 27.**  
 Appropriations: **HB 2203.**  
 Corrections and Juvenile Justice: **HB 2200.**  
 Federal and State Affairs: **HB 2199.**  
 Financial Institutions and Rural Development: **SB 15.**  
 Health and Human Services: **HB 2202.**  
 Insurance and Pensions: **HB 2198, SB 28, SB 29.**  
 Local Government: **HB 2205.**  
 Taxation: **HB 2197, SB 21, SB 47.**  
 Transportation: **HB 2201, SB 33.**

**CONSENT CALENDAR**

No objection was made to **HB 2050** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2072** appearing on the Consent Calendar for the second day.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Croft in the chair.

**COMMITTEE OF THE WHOLE**

On motion of Rep. Croft, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2071, HB 2029, HB 2082** be passed.

On motion of Rep. Jennings, **HB 2077** be amended on page 1, in line 28, by striking the second "and";

On page 2, in line 4, after "agency" by inserting "; and"; also on page 2, in line 20, before the period by inserting:

"(6) monitor the implementation of previously endorsed commission recommendations, including those developed through justice reinvestment, and receive updates, review data and identify opportunities for coordination, collaboration or legislation as needed";

On page 4, in line 14, by striking "statute book" and inserting "Kansas register" and the bill be passed as amended.

Committee report to **HB 2090** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **HB 2049** be adopted; and the substitute bill be passed.

Committee report to **HB 2079** be adopted; and the bill be passed as amended.

Committee report to **HB 2052** be adopted.

Also, on motion by Rep. Hoffman to amend **HB 2052**, the motion was withdrawn.

Also, on motion of Rep. Carmichael to re-refer **HB 2052** to Committee on Elections,

the motion was withdrawn. On motion of Rep. Hawkins to Rise and Report during debate on **HB 2052**, the motion prevailed.

### INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hawkins pursuant to House Rule 2311, **HB 2029**, **Sub HB 2049**, **HB 2071**, **HB 2077**, **HB 2079**, **HB 2082** and **HB 2090** were advanced to Final Action on Bills and Concurrent Resolutions.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2077**, AN ACT concerning the Kansas criminal justice reform commission; relating to expiration of the commission; extending the commission and limiting the scope of study; amending K.S.A. 2020 Supp. 21-6902 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 5; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howard, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Houser, Jacobs, Lee-Hahn, Poetter, Rhiley.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

**HB 2071**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; increasing criminal penalties for stalking a minor; amending K.S.A. 2020 Supp. 21-5427 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S.

Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote Yes on **House Bill 2071**. Trusted adults who take advantage of children in any way cause harm that impacts all of society but none more so than the child, their family and friends. I am thankful that one brave young lady and her friends spoke up, that her family has supported her and that the community has rallied around all of them to see that appropriate justice will prevail in future such cases even as I pray our community never has reason for it to be so. – CHARLOTTE ESAU, BILL RHILEY, TATUM LEE-HAHN

MR. SPEAKER: My yes vote on **HB 2071** was to show the importance of protecting our most valuable resource, our children. They must be protected from the predators.– TIMOTHY JOHNSON, LANCE NEELLY

**HB 2090**, AN ACT concerning elected officials; relating to military service; vacancy in elected office; appointment of acting official; amending K.S.A. 73-213, 73-214, 73-215, 73-218 and 73-219 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

**HB 2029**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; domestic battery; counting offenses with domestic violence designation as prior convictions; amending K.S.A. 2020 Supp. 21-5414 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 7; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howard, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burris, Garber, Houser, Jacobs, Lee-Hahn, Poetter, Rhiley.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

**Sub HB 2049**, AN ACT concerning the legislative division of post audit; relating to audits; prohibiting a public agency from charging a fee for records requested therefor; amending K.S.A. 2020 Supp. 46-1114 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Alcalá.

Present but not voting: None.

Absent or not voting: None.

The substitute bill passed.

**HB 2082**, AN ACT concerning the crime victims compensation board; relating to applications for compensation; mental health counseling; adding certain children to the definition of victim; amending K.S.A. 74-7301 and K.S.A. 2020 Supp. 74-7305 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

**HB 2079**, AN ACT concerning state officers; relating to certain powers, duties and functions of the secretary of state and the attorney general; charitable organizations; increasing the fees for certain charitable organizations; creating the charitable organizations fee fund; relating to the address confidentiality program; transferring duties to the attorney general; amending K.S.A. 17-1759, 17-1763, 17-1764, 17-1765, 17-1766, 17-1769, 17-1771, 17-1772, 46-236, 75-451, 75-452, 75-453, 75-454, 75-455, 75-456, 75-457 and 75-458 and K.S.A. 2020 Supp. 17-1762 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 70; Nays 54; Present but not voting: 1; Absent or not voting: 0.

Yeas: Alcalá, Amyx, Anderson, Baker, Ballard, Bergkamp, Borjon, Burroughs, Carlson, Clark, Clayton, Coleman, Collins, Concannon, Dodson, M., Donohoe, Eplee, Finch, Finney, Francis, French, Gartner, Hawkins, Helgerson, Henderson, Highberger, Hoffman, Hoheisel, Howard, Howe, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Minnix, Moser, Neelly, Neighbor, Newland, Orr, Ousley, Parker, F. Patton, Probst, Proehl, Ralph, Resman, Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Tarwater, Thompson, Toplikar, Turner, Vaughn, Wasinger, Wheeler, K. Williams, Winn, Wolfe Moore, Xu.

Nays: Arnberger, Awerkamp, Barker, Bergquist, Bishop, Blex, Burris, Byers, Carlin, Carmichael, B. Carpenter, W. Carpenter, Corbet, Croft, Curtis, Day, Delperdang, Ellis, Esau, Estes, Fairchild, Featherston, Garber, Haswood, Helmer, Highland, Houser, Hoye, Huebert, Humphries, Jacobs, Lee-Hahn, Mason, Miller, Murphy, Ohaebosim, Owens, Penn, Poetter, Poskin, Proctor, Rahjes, Rhiley, Ruiz, L., Ruiz, S., Seiwert, Smith, E., Stogsdill, Sutton, Thomas, Victors, Waggoner, Waymaster, Weigel.

Present but not voting: Woodard.

Absent or not voting: None.

The bill passed, as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2097** (Corrected), **HB 2112** (Corrected), be passed.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2066** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2066," as follows:

"Substitute for HOUSE BILL NO. 2066

By Committee on Commerce, Labor and Economic Development

"AN ACT concerning occupational regulation; relating to occupational licenses for certain applicants; temporary emergency licenses; electronic credentials; amending K.S.A. 2020 Supp. 48-3406 and repealing the existing section."; and the substitute bill be passed.

(Sub **HB 2066** was thereupon introduced and read by title.)

Committee on **Corrections and Juvenile Justice** recommends **HB 2081** be amended on page 6, in line 35, by striking "two" and inserting "one"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2083** be amended on page 2, in line 22, after "after" by inserting "January 9, 2023, and"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2162** be passed.

Committee on **Federal and State Affairs** recommends **HB 2137** be passed.

Committee on **Insurance and Pensions** recommends **HB 2063** be amended on page 1, in line 29, by striking "July 1, 2019" and inserting "January 1, 2017";

On page 2, in line 29, by striking "July 1, 2019" and inserting "January 1, 2017";

On page 3, following line 9, by inserting:

"(f) The provisions of the amendments made to subsection (3) by this act shall be named the Michael Wells memorial act.";

On page 1, in the title, in line 4, after the semicolon by inserting "enacting the Michael Wells memorial act"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2106** be passed.

Committee on **Taxation** recommends **HB 2104** be amended on page 37, in line 18, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2007** be passed.

Committee on **Transportation** recommends **HB 2014** be amended on page 1, in line 10, by striking "the"; by striking all in line 11; in line 12, by striking all before the period and inserting "either: (a) The United States military forces; or (b) any country that was a member of the North Atlantic Treaty Organization at the time the vehicle was manufactured"; in line 14, by striking "fully"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2224**, AN ACT concerning public health; relating to infectious disease testing; crimes in which bodily fluids may have been transmitted from one person to another; expanding the definition of infectious disease; amending K.S.A. 65-6009 and K.S.A. 2020 Supp. 65-6001 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2225**, AN ACT concerning taxation; relating to sales and compensating use taxes; requiring collection and remittance by marketplace facilitators; providing nexus for certain retailers; amending K.S.A. 79-3702 and repealing the existing section, by Committee on Taxation.

**HB 2226**, AN ACT concerning crimes, punishment and criminal procedure; relating to expungement; requiring certain convictions to be expunged from an offender's record automatically; amending K.S.A. 2020 Supp. 12-4516 and 21-6614 and repealing the existing sections, by Committee on Judiciary.

**HB 2227**, AN ACT concerning courts; relating to orders issued by the chief justice to secure health and safety during a disaster emergency; suspension of deadlines or time limitations; authorizing suspension during a state of local disaster emergency; suspension of verification requirements under the revised Kansas code for the care of children; use of electronic audio-visual communication to expeditiously resolve pending cases; amending K.S.A. 2020 Supp. 20-172 and repealing the existing section, by Committee on Judiciary.

**HB 2228**, AN ACT concerning sexual assault evidence kits; relating to submission of kits by law enforcement agencies; conducting evidence collection at child advocacy centers; amending K.S.A. 65-448 and K.S.A. 2020 Supp. 38-2227 and repealing the existing sections, by Committee on Judiciary.

**HB 2229**, AN ACT concerning crimes, punishment and criminal procedure; relating to theft; increasing criminal penalties for multiple thefts of mail; amending K.S.A. 2020 Supp. 21-5801 and repealing the existing section, by Committee on Judiciary.

**HB 2230**, AN ACT concerning sales taxation; relating to imposition of tax; digital property and subscription services; amending K.S.A. 79-3602 and K.S.A. 2020 Supp. 79-3603 and repealing the existing sections, by Committee on Taxation.

**HB 2231**, AN ACT concerning crimes, punishment and criminal procedure; relating to conducting a pyramid promotional scheme; exemptions; amending K.S.A. 2020 Supp. 21-5838 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

**HB 2232**, AN ACT concerning municipalities; relating to petitions for proposed ordinances; limiting the maximum number of required signatures; extending the effective period of such ordinances; providing for the narrow construction of certain administrative ordinances; amending K.S.A. 12-3013 and repealing the existing section, by Committee on Local Government.

**HB 2233**, AN ACT concerning municipalities; enacting the municipal historic building act; requiring approval by majority vote of qualified city electors before taking certain actions involving certain public buildings, by Committee on Local Government.

HOUSE CONCURRENT RESOLUTION No. **HCR 5008**—

By Representatives Francis, Alcalá, Arnberger, Barker, Bergquist, Carlson, Curtis, Ellis, Eplee, Gartner, Highland, Hoffman, Hoheisel, Jennings, S. Johnson, T. Johnson, Long, Orr, Owens, F. Patton, Ralph, Samsel, A. Smith, Tarwater, Wasinger and K. Williams

**HCR 5008**—A CONCURRENT RESOLUTION urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.

WHEREAS, The congress of the United States has adopted various versions of daylight saving time since 1918, when the policy originated to support the war industries; and

WHEREAS, Continuous daylight saving time was observed during World War II, referred to as War Time, and was reinstated during the 1973 oil embargo; and

WHEREAS, Daylight saving time is a policy issue for many states; and

WHEREAS, State legislation that provides for advances in time or changeover dates is superseded to the extent it differs from federal law under 15 U.S.C. § 260a; and

WHEREAS, The United States secretary of transportation enforces uniform application of 15 U.S.C. § 260a across all time zones; and

WHEREAS, Arizona, except for its Navajo Nation residents, Hawaii and the insular territories are exempt from the biannual time changes; and

WHEREAS, Congress has noted such benefits as more daylight, increased outdoor playtime for the children and youth of our nation, greater utilization of parks and recreation areas and expanded economic opportunity through extension of daylight hours to peak shopping hours; and

WHEREAS, Federal government analysts have further identified positive effects relating to energy savings, traffic safety and crime reduction; and

WHEREAS, The sunshine protection act of 2019, introduced in the 116th Congress, would institute permanent daylight saving time nationwide; and

WHEREAS, Without congressional action, daylight saving time resumes on the second Sunday in March every year and ends on the first Sunday in November every year: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the Kansas legislature urges the congress of the United States to extend daylight saving time throughout the year for the whole nation; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the presiding officers of each house of congress, each member of congress from Kansas and to the office of general counsel of the United States department of transportation.

**CHANGE OF REFERENCE**

Speaker pro tem Finch announced the withdrawal of **HB 2052** from Calendar and referral to Committee on Elections.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Thursday, February 4, 2021.

# Journal of the House

EIGHTEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, February 4, 2021, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Ryckman in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2234**, AN ACT concerning emergency medical services; relating to medical directors; requiring provision of medical oversight; amending K.S.A. 2020 Supp. 65-6112, 65-6124 and 65-6126 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2235**, AN ACT concerning governmental ethics; regarding lobbyists; requiring body cameras in statehouse; prohibiting gifts and hospitality; amending K.S.A. 46-270 and K.S.A. 2020 Supp. 46-271 and repealing the existing sections, by Representative Coleman.

**HB 2236**, AN ACT concerning financial institutions; relating to appraisals; sales comparison approach; unique residential real property in rural counties, by Committee on Financial Institutions and Rural Development.

**HB 2237**, AN ACT concerning economic development; relating to rural opportunity zones; extending the time period for eligibility in the loan repayment program and the income tax credit; amending K.S.A. 74-50,223 and 79-32,267 and repealing the existing sections, by Committee on Financial Institutions and Rural Development.

**HB 2238**, AN ACT concerning school districts and cities; relating to gifts for libraries; amending K.S.A. 12-1252 and repealing the existing section, by Representative Collins.

**HB 2239**, AN ACT concerning income taxation; relating to corporations; providing for an extension of the net operating loss carryforward period; amending K.S.A. 79-32,143 and repealing the existing section, by Committee on Taxation.

**HB 2240**, AN ACT concerning education; relating to school district capital improvements state aid determination; excluding U.S.D. No. 207, Fort Leavenworth, from the state aid schedule; amending K.S.A. 2020 Supp. 72-5462 and repealing the existing section, by Committee on K-12 Education Budget.

**HB 2241**, AN ACT concerning insurance; relating to health insurance plans; providing requirements for coverage of diagnostic examinations for breast cancer; amending K.S.A. 2020 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Committee on Insurance and Pensions.

**HB 2242**, AN ACT concerning the state fire marshal; relating to levies on fire insurance premiums; increasing the percentage amount the state fire marshal may levy on fire insurance company premiums caused by fire business transacted in Kansas; amending K.S.A. 75-1508 and repealing the existing section, by Committee on Insurance and Pensions.

**HB 2243**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; adjusting the frequency of the actuarial experience study; amending K.S.A. 74-4908 and 74-4908a and repealing the existing sections, by Committee on Insurance and Pensions.

**HB 2244**, AN ACT concerning industrial hemp; relating to the effective disposal thereof by the department of agriculture in coordination with state or local law enforcement; requiring industrial hemp processors to register with the state fire marshal; providing exemptions from regulations; allowing issuance of stop sale, use or removal orders; amending K.S.A. 2020 Supp. 2-3903 and 2-3907 and repealing the existing sections, by Committee on Agriculture.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Appropriations: **HB 2214**.

Commerce, Labor and Economic Development: **HB 2219, HB 2220, HB 2221, HB 2231**.

Corrections and Juvenile Justice: **HB 2211, HB 2215, HB 2223**.

Federal and State Affairs: **HB 2212, HB 2222, HB 2224, HCR 5008**.

Health and Human Services: **HB 2206, HB 2207, HB 2208, HB 2209, HB 2210**.

Insurance and Pensions: **HB 2218**.

Judiciary: **HB 2226, HB 2227, HB 2228, HB 2229**.

Local Government: **HB 2213, HB 2232, HB 2233**.

Taxation: **HB 2225, HB 2230**.

Transportation: **HB 2216, HB 2217**.

## CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2193** from Committee on Corrections and referral to Committee on Transportation.

## REPORTS OF STANDING COMMITTEES

Committee on **Insurance and Pensions** recommends **HB 2134** be passed.

Committee on **Insurance and Pensions** recommends **HB 2064** be amended on page 2, in line 24, after "extend" by inserting ", with the employer's authorization,"; in line 26, after "shall" by inserting "be consecutive and shall"; and the bill be passed as amended.

Committee on **K-12 Education Budget** recommends **HB 2067** be passed.

**REPORT ON ENROLLED RESOLUTIONS**

**HCR 5001, HCR 5003** reported correctly enrolled and properly signed on February 4, 2021.

On motion of Rep. Hawkins the House adjourned pro forma until 8:30 a.m. on Friday, February 5, 2021.

# Journal of the House

NINETEENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, February 5, 2021, 8:30 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Finch in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2245**, AN ACT concerning transportation; relating to the division of vehicles; authorizing the division of vehicles to collect emergency contact information; allowing individuals to list emergency contact information on applications for drivers' licenses, instruction permits and non-driver's identification cards; permitting law enforcement agencies to use emergency contact information in emergency situations, by Committee on Transportation.

**HB 2246**, AN ACT concerning salvage vehicles; relating to the cost of repairs; excluding inflatable safety restraints from the definition of cost of repairs; amending K.S.A. 2020 Supp. 8-197 and repealing the existing section, by Committee on Transportation.

**HB 2247**, AN ACT concerning roads and highways; designating a portion of K-67 highway as the COI Trenton J Brinkman memorial highway, by Committee on Transportation.

**HB 2248**, AN ACT concerning health and healthcare; relating to local health departments; increasing state financial assistance to such departments under specified circumstances; amending K.S.A. 65-242 and repealing the existing section, by Committee on Appropriations.

**HB 2249**, AN ACT concerning home and community-based services; relating to the client obligation to pay for such services; setting the protected income level, by Committee on Appropriations.

**HB 2250**, AN ACT concerning health and healthcare; relating to newborn screening; establishing an advance universal newborn screening program; providing for reimbursement of treatment services; authorizing the secretary of health and environment to specify conditions included in screenings; increasing transfers of moneys to the Kansas newborn screening fund; amending K.S.A. 65-181 and 65-183 and K.S.A. 2020 Supp. 65-180 and repealing the existing sections, by Committee on Appropriations.

**HB 2251**, AN ACT concerning firearms; relinquishment thereof pursuant to certain court orders; criminal penalties; amending K.S.A. 2020 Supp. 22-3426, 60-3107 and 60-31a06 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2252**, AN ACT concerning alcoholic liquor; relating to wineries; special shipping order licensees; creating fulfillment house licensure; authorizing the storage and shipment of alcoholic liquors for a special order shipping licensee; amending K.S.A. 2020 Supp. 41-102 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2253**, AN ACT concerning health professions and practices; relating to the board of pharmacy; prescription monitoring program act; pertaining to persons permitted to receive program data; data security; user and delegate access; increasing the number of members of the prescription monitoring program advisory committee; providing for initial setup and annual maintenance fees to be charged for program data integration into any other electronic health or pharmacy record system approved by the board; amending K.S.A. 65-1682, 65-1683, 65-1684, 65-1685, 65-1687 and 65-1689 and repealing the existing sections, by Committee on Appropriations.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture: **HB 2244**.

Elections: **HB 2235**.

Financial Institutions and Rural Development: **HB 2236**, **HB 2237**.

Health and Human Services: **HB 2234**.

Insurance and Pensions: **HB 2241**, **HB 2242**, **HB 2243**.

K-12 Education Budget: **HB 2240**.

Local Government: **HB 2238**.

Taxation: **HB 2239**.

### COMMUNICATIONS FROM STATE OFFICERS

From: Derek Schmidt, Kansas Attorney General, pursuant to K.S.A. 50-6,109a(h), report on the implementation, administration and enforcement of the provisions of the Scrap Metal Theft Reduction Act (SMTRA).

The complete report is kept on file and open for inspection in the office of the Chief Clerk.

### MESSAGES FROM THE SENATE

Announcing passage of **SB 1**, **SB 16**, **SB 24**, **SB 38**, **SB 39**, **SB 40**, **SB 53**.

### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

**SB 1**, **SB 16**, **SB 24**, **SB 38**, **SB 39**, **SB 40**, **SB 53**.

### REPORTS OF STANDING COMMITTEE

Committee on **Children and Seniors** recommends **HB 2062** be passed.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Monday, February 8, 2021.

# Journal of the House

TWENTIETH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, February 8, 2021, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Ryckman in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

**HB 2254**, AN ACT concerning funeral arrangements; relating to prearranged funeral agreements; removing the monetary cap on irrevocable agreements; amending K.S.A. 2020 Supp. 16-303 and repealing the existing section, by Committee on Health and Human Services.

**HB 2255**, AN ACT concerning health and healthcare; relating to sexual assault; services and care therefor; requiring certain entities to provide information to sexual assault survivors; enacting the sexual assault survivor information act, by Committee on Health and Human Services.

**HB 2256**, AN ACT concerning advanced practice registered nurses; relating to the board of nursing; definition of practice; prescribing authority; licensure requirements; rules and regulations; amending K.S.A. 65-1130 and K.S.A. 2020 Supp. 40-3401, 65-1113 and 65-4101 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2257**, AN ACT concerning health and healthcare; relating to the practice of medicine and surgery; permitting physicians to decide whether to provide patients with certain information based on the physician's medical judgment; enacting the protect physician integrity from political interference act, by Committee on Health and Human Services.

**HB 2258**, AN ACT concerning health and healthcare; relating to pharmacies; requiring pharmacies to make contraceptives available to customers, by Committee on Health and Human Services.

**HB 2259**, AN ACT concerning health and healthcare; relating to the treatment of sexually transmitted diseases; permitting the use of expedited partner therapy for the treatment thereof, by Committee on Health and Human Services.

**HB 2260**, AN ACT concerning insurance; relating to pharmacy benefits managers; the federal 340B drug pricing program; prohibiting disparate treatment of certain pharmacies and pharmaceutical services providers, by Committee on Health and Human Services.

**HB 2261**, AN ACT concerning health and healthcare; relating to hospitals and healthcare-related facilities; establishing rural emergency hospitals as a rural healthcare licensure category; requirements for licensure; enacting the rural emergency hospital act; amending K.S.A. 65-425 and 65-431 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2262**, AN ACT concerning health and healthcare; relating to preparation of bodies for a funeral or cremation; cremation documentation requirements; removing the requirement to provide a permit to cremate in certain circumstances; authorizing electronic permits to cremate; eliminating certain funeral director monthly reporting requirements; amending K.S.A. 65-1762 and 65-2426a and repealing the existing sections; also repealing K.S.A. 65-2429, by Committee on Health and Human Services.

**HB 2263**, AN ACT concerning electric-assisted bicycles; relating to the regulation and approved use thereof; providing for use of certain sizes of motors; amending K.S.A. 8-1437, 8-1439a, 8-1489 and 8-1592b and K.S.A. 2020 Supp. 8-126, 8-128, 8-1402a, 8-1438, 8-1498, 8-2401 and 32-701 and repealing the existing sections, by Committee on Transportation.

**HB 2264**, AN ACT concerning student athletes at postsecondary educational institution student athletes; permitting compensation for the use of a student athlete's name, image, likeness rights or athletic reputation; prohibiting certain conduct by postsecondary educational institutions and athletic associations, by Committee on Judiciary.

**HB 2265**, AN ACT concerning sales taxation; providing for a sales tax exemption for required textbooks and authorizing a local sales tax on required textbooks; amending K.S.A. 79-3606 and K.S.A. 2020 Supp. 12-189a and repealing the existing sections, by Representatives Woodard and Hoheisel.

**HB 2266**, AN ACT concerning income taxation; relating to Kansas itemized deductions of an individual; providing the ability to elect to itemize; amending K.S.A. 79-32,120 and repealing the existing section, by Representative Bishop.

**HB 2267**, AN ACT creating the Kansas youth advisory council; prescribing purpose, members, meeting requirements and support thereof, by Representatives Parker, Anderson, Arnberger, Haswood, Samsel, Vaughn, Woodard and Xu.

**HB 2268**, AN ACT concerning financial institutions; enacting the Kansas rural home loan guarantee act; providing for administration by state treasurer; establishing the rural home loan guarantee fund; requiring an annual report to the legislature, by Committee on Financial Institutions and Rural Development.

**HB 2269**, AN ACT concerning education; relating to the Kansas school equity and enhancement act; at-risk student weighting; requiring at-risk funding to be based on proficiency standards for certain students; amending K.S.A. 2020 Supp. 72-5132 and repealing the existing section, by Committee on K-12 Education Budget.

**HB 2270**, AN ACT concerning the distribution of the levy on fire insurance business premiums; relating to the state fire marshal fee fund, the emergency medical services operating fund and the fire training service program fund; modifying the distribution of moneys thereof; amending K.S.A. 75-1514 and repealing the existing section, by Committee on Transportation and Public Safety Budget.

HOUSE CONCURRENT RESOLUTION No. **HCR 5009**—  
By Committee on Elections

**HCR 5009**—A CONCURRENT RESOLUTION making application to Congress of the United States for a limited national convention for the exclusive purpose of proposing an amendment to the Constitution of the United States that will ensure balance and integrity in our elections.

WHEREAS, The framers of the Constitution of the United States of America intended that the Congress of the United States of America should be "dependent on the people alone" (James Madison, Federalist 52); and

WHEREAS, Throughout American history, this dependency has evolved from a dependency on the American people alone to a dependency on powerful special interests, through spending by third-party groups, campaigns or out-of-state donors, which have created a fundamental imbalance in our representative democracy and eroded the people's trust in government; and

WHEREAS, Americans across the political spectrum agree that elections in the United States of America should be free from the disproportional influence of special interests and fair enough that any citizen can be elected into office; and

WHEREAS, The Constitution of the State of Kansas states that "all political power is inherent in the people, and all free governments are founded on their authority, and are instituted for their equal protection and benefit" (Bill of Rights, Section 2); and

WHEREAS, Article V of the Constitution of the United States requires the Congress of the United States to call a convention for proposing amendments to the federal Constitution upon the application of two-thirds of the legislatures of the several states; and

WHEREAS, The Kansas Legislature perceives the need for an amendments convention in order to ensure balance and integrity in our elections by proposing an amendment to the federal Constitution that will permanently protect fair elections in America, by addressing, inter alia, issues raised by the decisions of the United States Supreme Court in *Citizens United v. Federal Election Commission*, 130 S.Ct. 876 (2010), and related cases, and desires that such convention should be so limited; and

WHEREAS, A national convention would give the American people an opportunity to come together as a nation, by discussing solutions on how to ensure the integrity of our elections and renew the American people's trust in government; and

WHEREAS, Article V of the Constitution of the United States clearly states that any amendment, whether proposed by the Congress of the United States or by a convention, must be ratified by 75% of the states, presently 38 states, ensuring that only the most reasonable proposals with widespread support shall become part of the Constitution of the United States; and

WHEREAS, Notwithstanding any federal or Kansas law to the contrary, the State of Kansas desires its delegates to such a national convention to be composed equally of individuals currently elected to state and local offices or to be selected by election in each congressional district in Kansas, except that all individuals elected or appointed to federal office, now or in the past, shall be prohibited from serving as Kansas delegates. The State of Kansas intends to retain the ability to enforce the responsibility and conduct of its delegation within the limits herein expressed; and

WHEREAS, The State of Kansas intends that this shall be a continuing application to be considered, together with applications calling for a convention passed by the 2013-2014 Vermont legislature as R454, the 2013-2014 California legislature as Resolution Chapter 77, the 98<sup>th</sup> Illinois General Assembly as SJR 42, the 2014-2015 New Jersey legislature as SCR 132, the 2015-2016 Rhode Island legislature as HR 7670 and SR 2589, and all other passed, pending and future applications, until such time as two-thirds of the several states have applied for a convention for a similar purpose and such convention is convened by the Congress of the United States: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the people of the State of Kansas, speaking through its legislature and pursuant to Article V of the Constitution of the United States, hereby apply to the Congress of the United States to call a convention for the exclusive purpose of proposing an amendment to the Constitution of the United States that will permanently protect fair elections as described herein, as soon as two-thirds of the several states have applied for a convention for a similar purpose; and

*Be it further resolved:* That the Secretary of State shall send enrolled copies of this resolution to the President of the United States, the Vice President of the United States in the Vice President's capacity as presiding officer of the United States Senate, the Speaker of the United States House of Representatives, the Minority Leader of the United States House of Representatives, the President Pro Tempore of the United States Senate, each Senator and Representative from Kansas in the Congress of the United States, with the respectful request that the full and complete text of this resolution be printed in the *Congressional Record*, the presiding officers of each legislative body of each of the several states, requesting the cooperation of the states in issuing an application compelling the Congress of the United States to call a convention for proposing amendments pursuant to Article V of the Constitution of the United States.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture: **SB 38, SB 39, SB 40.**

Appropriations: **HB 2248, HB 2249, HB 2250, HB 2253, SB 1, SB 16.**

Energy, Utilities and Telecommunications: **SB 24.**

Federal and State Affairs: **HB 2251, HB 2252.**

Local Government: **SB 53.**

Transportation: **HB 2245, HB 2246, HB 2247.**

## REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **HB 2102, HB 2103** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2121** be amended on page 1, in line 8, by striking "intentionally" and inserting "knowingly"; in line 9, by striking "intentionally" and inserting "knowingly";

On page 6, in line 15, by striking the first "intentionally" and inserting "knowingly"; also in line 15, by striking the second "intentionally" and inserting "knowingly"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2118, HB 2163** be passed.

Committee on **Judiciary** recommends **HB 2075**, **HB 2096**, **HB 2109**, **HB 2120** be passed.

Committee on **Judiciary** recommends **HB 2001** be amended on page 1, in line 9, by striking the second "or" and inserting a comma; also in line 9, after "video" by inserting "or other recording";

On page 7, in line 2, by striking "or"; in line 5, after "(t)(1)(A)" by inserting "; or (C) adjudicated as a juvenile offender for an act which if committed by an adult would constitute the commission of sexual extortion as defined in section 1, and amendments thereto"; and the bill be passed as amended.

Committee on **K-12 Education Budget** recommends **HB 2068** be passed.

Committee on **Transportation** recommends **HB 2164**, **HB 2167** be passed.

Committee on **Transportation** recommends **HB 2107** be amended on page 1, in line 7, by striking "5" and inserting "4"; in line 20, by striking "military";

On page 2, in line 34, after "3" by inserting ", and amendments thereto"; following line 34, by inserting:

"New Sec. 5. Sections 1 through 4, and amendments thereto, shall be a part of and supplemental to the uniform act regulating traffic on highways.";

And by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2165** be amended on page 1, following line 23, by inserting:

"Sec. 2. K.S.A. 8-194 is hereby amended to read as follows: 8-194. As used in this act: (a) "Collector" means the owner of one or more special interest vehicles ~~or street rod vehicles~~ who acquires, collects, purchases, trades or disposes of such vehicles or parts therefor for such person's own use in order to restore, preserve and maintain such vehicle or vehicles for historic interest.

(b) "Parts car" means a motor vehicle generally in nonoperable condition ~~which that~~ is owned by a collector to furnish parts ~~which that~~ will enable the collector to restore, preserve and maintain a special interest vehicle, ~~street rod vehicle~~ or antique vehicle.

(c) "Special interest vehicle" means a motor vehicle ~~which that~~ is more than 20 years of age and ~~which that~~ has not been altered or modified from the original manufacturer's specifications except to assure normal running operation or to meet specific safety inspection requirements on original equipment, or both. ~~"Special interest vehicle" shall also mean and include a motor vehicle manufactured before 1949 that when altered or modified is referred to as a "street rod."~~

Sec. 3. K.S.A. 8-195 is hereby amended to read as follows: 8-195. (a) Any person who is the owner of a special interest vehicle ~~or street rod vehicle~~ at the time of making application for registration or transfer of title of the vehicle may upon application register the same as a special interest vehicle ~~or street rod vehicle~~ upon payment of an annual fee of \$26 and be furnished each year upon the payment of such fee license plates of a distinctive design in lieu of the usual license plates ~~which, and such plates shall show,~~ in addition to the identification number, that the vehicle is a special interest vehicle ~~or that the vehicle is a special interest vehicle and it meets the qualifications of a street rod, as the case may be,~~ owned by a Kansas collector. The registration shall be valid for one year and may be renewed by payment of such annual fee. Special interest

vehicles ~~including street rod vehicles~~ may be used as are other vehicles of the same type, except that special interest vehicles ~~including street rod vehicles~~ may not transport passengers for hire, nor haul material weighing more than 500 pounds.

(b) Each collector applying for special interest vehicle ~~or street rod vehicle~~ license plates will be issued a collector's identification number ~~which that~~ will appear on each license plate. Second and all subsequent registrations under this section by the same collector will bear the same collector's identification number followed by a suffix letter for vehicle identification.

(c) A collector must own and have registered one or more vehicles with regular license plates ~~which that~~ are used for regular transportation.

Sec. 4. K.S.A. 8-196 is hereby amended to read as follows: 8-196. In addition to the fee in K.S.A. 8-195, ~~as amended and amendments thereto~~, there shall be an original (first time only) processing fee of \$20 to defray the cost of issuing the original collector's special interest vehicle license plates ~~or special interest vehicles with street rod designation license plates~~ and to ensure that each collector ~~will shall~~ be issued only one collector's identification number.";

Also on page 1, in line 24, before "K.S.A." by inserting "K.S.A. 8-194, 8-195 and 8-196 and"; also in line 24, by striking "is" and inserting "are";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 3, after the semicolon by inserting "eliminating references to street rod vehicles;"; also in line 3, after "amending" by inserting "K.S.A. 8-194, 8-195 and 8-196 and"; in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker Ryckman announced the appointment of Rep. W. Carpenter to replace Rep. Arnberger on Committee on Health and Human Services on February 8, 2021.

Also, the appointment of Rep. Borjon to replace Rep. C. Smith on Committee on Children and Seniors on February 8, 2021.

Also, the appointment of Rep. Poskin to replace Rep. S. Ruiz on Committee on Health and Human Services on February 8, 2021.

#### **REPORT ON ENGROSSED BILLS**

**HB 2077, HB 2079, HB 2090** reported correctly engrossed February 3, 2021.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Tuesday, February 9, 2021.

# Journal of the House

TWENTY-FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, February 9, 2021, 11:00 a.m.

The House met session proforma pursuant to adjournment with Speaker pro tem Finch in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

**HB 2271**, AN ACT concerning children and minors; relating to children in the custody of the secretary for children and families; providing for an extension or re-entry of custody for persons up to 21 years of age; amending K.S.A. 2020 Supp. 38-2202 and 38-2203 and repealing the existing sections, by Representative Thomas.

**HB 2272**, AN ACT concerning property taxation; relating to distribution of certain property taxes paid under protest; notice by county appraiser to other taxing entities of properties under protest; amending K.S.A. 79-2005 and repealing the existing section, by Committee on Taxation.

**HB 2273**, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for active aging publishing, inc.; amending K.S.A. 79-3606 and repealing the existing section, by Committee on Taxation.

**HB 2274**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against public morals; increasing the penalties for buying sexual relations; removing provisions relating to counting prior convictions for purposes of enhancing penalties; amending K.S.A. 2020 Supp. 21-6421 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2275**, AN ACT concerning the department of corrections; relating to parole and postrelease supervision; requiring the department to develop guidelines to address parole violations; amending K.S.A. 75-5216 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2276**, AN ACT concerning crimes, punishment and criminal procedure; relating to unlawful voluntary sexual relations; removing the opposite-sex requirement; amending K.S.A. 2020 Supp. 21-5507 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2277**, AN ACT concerning crimes, punishment and criminal procedure; relating to definitions in the Kansas criminal code; modifying the definition of possession; amending K.S.A. 2020 Supp. 21-5111 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2278**, AN ACT concerning elections; relating to campaign practices; requiring publication of signed statements of fair campaign practices; creating a cause of action for violations of such statement and for making materially false statements and providing penalties therefor; amending K.S.A. 25-4119g and repealing the existing section, by Representative Poskin.

**HB 2279**, AN ACT concerning physical therapy; enacting the physical therapy licensure compact; providing for interstate practice authority for physical therapists in compact states; authorizing criminal history record checks; amending K.S.A. 65-2920 and 65-2923 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2280**, AN ACT concerning the state board of pharmacy; relating to powers, duties and functions thereof; pertaining to confidentiality of investigations, inspections and audits; licensing; registration and permitting requirements; exhibition of titles; fees; prescription orders; defining telepharmacy and requiring rules and regulations be adopted for oversight and administration thereof; amending K.S.A. 65-636, 65-1627, 65-1631, 65-1637, 65-1643, 65-1645, 65-1656, 65-1657, 65-1658, 65-1663 and 65-1676 and K.S.A. 2020 Supp. 65-1626 and repealing the existing sections, by Committee on Health and Human Services.

**HB 2281**, AN ACT concerning public health; establishing 988 as the suicide prevention and mental health crisis hotline in Kansas; providing for the Kansas department for aging and disability services to provide oversight and support to hotline centers; prescribing hotline center duties and provision of services; telecommunication providers duties; collection and disbursement of fees for the 988 hotline, by Committee on Health and Human Services.

**HB 2282**, AN ACT concerning agriculture; relating to financial institutions; enacting the Kansas agricultural loan guarantee program; allowing the state treasurer to enter into agreements with eligible applicants to guarantee agricultural loans up to 80% of the value of the loan; creating a committee to review and approve applications for agricultural loan guarantees. by Committee on Financial Institutions and Rural Development.

**HB 2283**, AN ACT concerning public assistance programs; relating to the temporary assistance for needy families program; administration by the Kansas department for children and families; requirements and limitations for receiving benefits; amending K.S.A. 2020 Supp. 39-702 and 39-709 and repealing the existing sections, by Committee on Children and Seniors.

**HB 2284**, AN ACT concerning wildlife, parks and tourism; relating to cabins and camp sites; fees; reduction for senior citizens, by Committee on Agriculture.

**HB 2285**, AN ACT concerning postsecondary educational institutions; creating the campus free speech act; requiring the governing body of each such institution to adopt a policy of free expression; establishing a committee on free expression at each such institution; providing a cause of action for violations of the act, by Representative Garber.

**HB 2286**, AN ACT concerning postsecondary educational institutions; creating the campus intellectual diversity act; requiring an office of public policy events at each postsecondary educational institution, by Representative Garber.

**HB 2287**, AN ACT concerning workforce development; relating to postsecondary education; creating the Kansas promise scholarship act; providing scholarships to students who attend postsecondary educational programs that correspond to in-demand career fields, by Committee on K-12 Education Budget.

**HB 2288**, AN ACT concerning crimes, punishment and criminal procedure; relating to controlled substances; decriminalizing possession of drugs and creating a civil fine therefor; referring those found in possession of a controlled substance to drug abuse treatment; creating the crime of failure to comply with drug abuse treatment; reducing criminal penalties for manufacturing and distributing drugs; amending K.S.A. 75-52,144 and K.S.A. 2020 Supp. 12-4104, 21-5402, 21-5703, 21-5705, 21-5707, 21-5708, 21-5709, 21-5710, 21-5713, 21-6303, 21-6604, 21-6805, 21-6812, 21-6813, 21-6824 and 65-6235 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 21-5706, by Representative Coleman.

**HB 2289**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; authorizing the issuance of revenue bonds to finance the unfunded actuarial pension liability of KPERS; providing requirements, limitations and procedures for the Kansas development finance authority, department of administration and the state finance council pertaining to such bonds; establishing annual retiree dividend payments for certain retirees and prescribing conditions, limitations and procedures for such payments, by Representative Miller.

**HB 2290**, AN ACT concerning energy; requiring the secretary of health and environment to assess carbon content charges upon sales of certain fuels; carbon emission reductions; creating the carbon dividend program fund; requiring the department of revenue to distribute moneys from the carbon dividend program fund to Kansans on a monthly basis, by Representative Coleman.

**HB 2291**, AN ACT concerning electric public utilities; relating to the net metering and easy connection act; applying such act to electric cooperatives and municipal utilities; prohibiting discriminatory rates and charges; requiring certain compensation for energy generated by net metered facilities; increasing the system-wide capacity limit of net metered facilities; amending K.S.A. 66-1264, 66-1265, 66-1266 and 66-1267 and repealing the existing sections, by Representative Collins.

**HB 2292**, AN ACT concerning open records; creating exemptions in the open records act for cybersecurity assessments, cybersecurity plans and cybersecurity vulnerabilities; amending K.S.A. 2020 Supp. 45-217 and 45-221 and repealing the existing sections, by Committee on Judiciary.

**HB 2293**, AN ACT enacting the taxpayer empowerment, accountability and transparency in state contracting act; relating to private service contracts; requiring the department of administration to create a database of private service contract information and to analyze the potential impacts of such contracts; requiring contracting state agencies to obtain the resources needed to monitor the performance of private service contracts before finalizing such contracts, by Committee on Commerce, Labor and Economic Development.

**HB 2294**, AN ACT concerning motor vehicles; relating to abandoned or towed vehicles; requiring an individual or agency to acquire a certificate of title before selling an abandoned or towed vehicle; amending K.S.A. 8-2403 and K.S.A. 2020 Supp. 8-128, 8-1102, 8-1103 and 8-1104 and repealing the existing sections, by Committee on Transportation.

**HB 2295**, AN ACT concerning drivers' licenses; relating to commercial drivers' licenses; exempting municipal motor grader vehicle operators from the Kansas uniform commercial drivers' license act requirements; amending K.S.A. 2020 Supp. 8-2,127 and repealing the existing section, by Committee on Transportation.

**HB 2296**, AN ACT concerning transportation; relating to the secretary of transportation; permitting the secretary of transportation to contract with the Kansas turnpike authority to enforce toll payments; permitting the secretary of transportation to use tolls to support public transit and other improvements on a toll project; amending K.S.A. 2020 Supp. 68-20,120 and repealing the existing section, by Committee on Transportation.

**HB 2297**, AN ACT concerning the secretary of state; relating to duties and responsibilities thereof; publication of session laws; disposition and distribution of volumes; the Kansas register, proposed amendments to the constitution of the state of Kansas and Kansas administrative rules and regulations; eliminating the requirement to file an index of guidance documents; permitting use of printing and binding services from the commercial market; fixing fees by rules and regulations; amending K.S.A. 45-106, 45-315, 64-103, 75-430, 75-433, 75-436, 75-1005, 77-138, 77-417, 77-430, 77-430a, 77-431 and 77-438 and K.S.A. 2020 Supp. 45-107 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

**HB 2298**, AN ACT concerning service of process; relating to the secretary of state; nonresident drivers or their representatives; domestic or foreign business entities; amending K.S.A. 8-402 and K.S.A. 2020 Supp. 60-304 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

**HB 2299**, AN ACT concerning crimes, punishment and criminal procedure; relating to search and seizure; extending the time within which a search warrant may be executed; amending K.S.A. 2020 Supp. 22-2506 and repealing the existing section, by Committee on Judiciary.

**HB 2300**, AN ACT concerning crimes, punishment and criminal procedure; abolishing the death penalty; creating the crime of aggravated murder; requiring a sentence of imprisonment for life without the possibility of parole therefor; clarifying laws related to sentences of imprisonment for life without the possibility of parole; amending K.S.A. 65-5117, 72-2165 and 75-52,148 and K.S.A. 2020 Supp. 21-5301, 21-5402, 21-5419, 21-6328, 21-6614, 21-6618, 21-6620, 21-6622, 21-6628, 21-6629, 21-6806, 22-2512, 22-3717, 22-4902, 22-4906, 23-3222, 38-2255, 38-2271, 38-2303, 38-2312, 38-2365, 39-970 and 39-2009 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 21-5401, 21-6617 and 21-6619 by Representatives Schreiber, Amyx, Baker, Bishop, Carlin, Carlson, Clark, Concannon, Curtis, Day, Eplee, Featherston, Gartner, Haswood, Highberger, Houser, Hoye, Kuether, Long, Neighbor, Newland, Ohaebosim, Ousley, Parker, Poskin, Sawyer, A. Smith, Sutton, Vaughn, Wasinger, Winn, Wolfe Moore, Woodard and Xu.

HOUSE CONCURRENT RESOLUTION No. **HCR 5010**—

By Representatives Fairchild, Helmer and Murphy

**HCR 5010**—A PROPOSITION to amend the constitution of the state of Kansas by adding a new article thereto, prescribing certain limits upon expenditures by the state.

*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: The constitution of the state of Kansas is amended by adding a new article 16 to read as follows:

**"Article 16.—EXPENDITURE LIMITATION**

**"§ 1. Definitions.** As used within this article:

(a) "State" means the state government, including all branches, state offices, authorities, agencies, boards, commissions, institutions, instrumentalities and any divisions or units of state government that are directly supported with tax funds;

(b) "fiscal year" means the twelve-month fiscal period prescribed by law for the state;

(c) "fiscal year spending" means all expenditures and reserve increases by the state except, as to both:

(1) Expenditures for refunds of any kind; and

(2) expenditures of moneys received from the federal government, moneys received as grants, gifts or donations that are to be expended for purposes specified by the donor, moneys that are collections for another government, moneys received for pension contributions by employees and pension fund earnings; and

(d) "inflation" means the change in the consumer price index for all urban consumers as published by the United States department of labor for the preceding calendar year, which shall not be less than zero.

**"§ 2. Spending limits.** (a) For any fiscal year that commences on or after July 1, 2023, fiscal year spending by the state shall not increase above the fiscal year spending for the preceding fiscal year by more than the rate of inflation.

(b) The legislature may enact laws to carry out the purposes of this section."

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

*"Explanatory statement.* Beginning July 1, 2023, this amendment would impose spending limits on the state from fiscal year to fiscal year based on increases in the rate of inflation.

"A vote for this proposition would limit state legislative authority and would limit state spending increases from fiscal year to fiscal year to the rate of inflation.

"A vote against this proposition would continue the present constitutional and statutory authority for state government spending by the legislature in the exercise of the legislative power of this state."

Sec. 3. This resolution, if approved by 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 shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2022, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Elections: **HCR 5009**.

Federal and State Affairs: **HB 2267**.

Financial Institutions and Rural Development: **HB 2268**.

Health and Human Services: **HB 2254, HB 2255, HB 2256, HB 2257, HB 2258, HB 2259, HB 2260, HB 2261, HB 2262**.

Judiciary: **HB 2264**.

K-12 Education Budget: **HB 2269**.

Taxation: **HB 2265, HB 2266**.

Transportation: **HB 2263**.

Transportation and Public Safety Budget: **HB 2270**.

### REPORTS OF STANDING COMMITTEES

Committee on **Children and Seniors** recommends **HB 2114** be amended on page 2, in line 24, by striking "and"; in line 26, after "services" by inserting ";

(21) one representative of the Alzheimer's association, appointed by the Alzheimer's association; and

(22) a consumer of Kansas senior services, appointed by the speaker of the silver haired legislature"; and the bill be passed as amended.

Committee on **Children and Seniors** recommends **HB 2115** be amended on page 2, in line 10, by striking "11" and inserting "13"; in line 27, after "senate" by inserting: ";

(8) one member of the senate appointed by the minority leader of the senate; and

(9) one member of the house of representatives appointed by the majority leader of the house of representatives";

On page 3, in line 11, by striking all after "once"; in line 12, by striking all before "when" and inserting "during each of the first and second calendar quarters"; in line 15, by striking "Six" and inserting "Seven"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2160** be amended on page 1, in line 35, by striking "July 1, 2021" and inserting "May 1, 2022"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2070** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2301**, AN ACT concerning education; relating to the state board of education and the state board of regents; requiring development of standards for personal financial literacy courses in high schools; requiring postsecondary educational institutions to adopt personal financial literacy credit transfer policies; amending K.S.A. 72-3236 and repealing the existing section, by Committee on Education.

**HB 2302**, AN ACT concerning education; relating to school districts; administration of certain tests, questionnaires, surveys and examinations; requiring copies to be provided prior to giving consent to take such test, questionnaire, survey or examination; amending K.S.A. 72-6316 and repealing the existing section, by Committee on Education.

### **COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Finch announced the appointment of Rep. Murphy to replace Rep. W. Carpenter on Committee on Commerce, Labor, Economic Development on February 9, 2021.

Also, the appointment of Rep. Featherston to replace Rep. S. Ruiz on Committee on Health and Human Services on February 9, 2021.

Also, the appointment of Rep. Poskin to replace Rep. Henderson on Committee on Health and Human Services on February 9, 2021.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Wednesday, February 10, 2021.

# Journal of the House

TWENTY-SECOND DAY

HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, February 10, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 123 members present.

Reps. Francis and Henderson were excused on excused absence by the Speaker.

Present later: Reps. Francis and Henderson.

Prayer by Chaplain Brubaker,

Gracious and Loving God,  
thank You for this day You have given us.  
Please help our leaders to believe in and live into  
Your gracious plan for this day.  
Remind them to look not into their own interests,  
but to the good for this state and its people.  
Reveal to all of us that which is true,  
honorable, just and pure  
and may everything we say and do  
be guided by this.  
This is the day You have made  
and we lay before You all our plans and purposes.  
May our lives and decisions reflect the joy and hope  
we find not in ourselves, but in You.  
I pray this in Your name, Amen.

The Pledge of Allegiance was led by Rep. Blake Carpenter

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2303**, AN ACT concerning income taxation; relating to credits; adjusting the credit and income amounts for the income tax credit for purchases of food in this state; amending K.S.A. 79-32,271 and repealing the existing section, by Representative Toplikar.

**HB 2304**, AN ACT concerning income taxation; relating to credits; increasing credit for expenditures to make a principal dwelling accessible to persons with a disability; amending K.S.A. 79-32,176a and repealing the existing section, by Representative Toplikar.

**HB 2305**, AN ACT concerning minimum wage laws; permitting cities, counties and local governments to set the minimum wage above federal or state levels by ordinance, resolution or law; amending K.S.A. 2020 Supp. 12-16,130 and repealing the existing section, by Representatives Curtis, Henderson, Ruiz, L. and Wolfe Moore.

**HB 2306**, AN ACT concerning employment; relating to local government control over wages, compensation or benefits for construction projects; amending K.S.A. 2020 Supp. 12-16,132 and 19-26,114 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 12-16,131, by Representatives Curtis, Burroughs, Henderson, Ruiz, L., Winn and Wolfe Moore.

**HB 2307**, AN ACT concerning workers compensation; relating to the definition of personal injury; including certain mental injuries arising from physical injury, emotional shock or a series of work-related events; amending K.S.A. 2020 Supp. 44-508 and repealing the existing section, by Committee on Judiciary.

**HB 2308**, AN ACT concerning coroners; relating to child death investigations; providing a process to identify a child's death as suspicious prior to performing an autopsy; amending K.S.A. 22a-242 and repealing the existing section, by Committee on Judiciary.

**HB 2309**, AN ACT concerning agriculture; creating the agricultural equipment right-to-repair act; requiring manufacturers of electronics-enabled equipment used in agriculture, animal husbandry and ranching to make available to farmers, ranchers and independent repair providers, on fair and reasonable terms, the documentation, parts and tools used to diagnose, maintain and repair such equipment, by Representative Xu.

**HB 2310**, AN ACT concerning agriculture; relating to soil and watershed health; creating the Kansas healthy soils fund and the Kansas healthy soils initiative for the purpose of promoting healthy soils practices; amending K.S.A. 2-1902 and 2-2002 and K.S.A. 2020 Supp. 2-1903, 2-1904, 2-1908, 2-1915 and 2-2003 and repealing the existing sections, by Representative Xu.

**HB 2311**, AN ACT concerning workers compensation; relating to permanent total disability; extending benefits for the lifetime of the injured worker; amending K.S.A. 2020 Supp. 44-510f and repealing the existing section, by Representative Clayton.

**HB 2312**, AN ACT concerning workers compensation; authorizing injured workers to designate a healthcare provider for care thereunder; requiring an employer to provide such services; amending K.S.A. 2020 Supp. 44-510h and repealing the existing section, by Representative Clayton.

**HB 2313**, AN ACT concerning property taxation; relating to motor vehicles; allowing Kansas national guard and reservist members who are in good standing to receive a property tax exemption for up to two motor vehicles; amending K.S.A. 79-5107 and repealing the existing section, by Committee on Veterans and Military.

**HB 2314**, AN ACT concerning sales taxation; relating to payment of tax by retailers; time of payment for retailers collecting a certain amount of sales tax and discontinuing the pre-payment of such tax; amending K.S.A. 79-3607 and repealing the existing section, by Committee on Taxation.

**HB 2315**, AN ACT concerning taxation; relating to income, premiums and privilege tax; providing a credit for contributions to technical colleges; amending K.S.A. 79-32,261 and repealing the existing section, by Committee on Taxation.

**HB 2316**, AN ACT concerning financial institutions; relating to payments made with credit and debit cards; eliminating the prohibition of a surcharge for use of such cards; amending K.S.A. 72-1176 and 75-30,100 and K.S.A. 2020 Supp. 12-16,125 and 19-122 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 16a-2-403, by Committee on Taxation.

**HB 2317**, AN ACT concerning income taxation; relating to tax credits; providing a credit for expenditures for placing into service qualified alternative-fuel fueling stations, by Committee on Taxation.

**HB 2318**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; modifying the definition of persistent sex offender; creating an opportunity for early discharge from lifetime postrelease supervision for certain offenders; amending K.S.A. 2020 Supp. 21-6804 and 22-3717 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2319**, AN ACT concerning elections; relating to the deadline for returning advance voting ballots; amending K.S.A. 2020 Supp. 25-1132 and repealing the existing section, by Representative Esau.

**HB 2320**, AN ACT concerning financial institutions; enacting the commercial property assessed clean energy or C-PACE act; relating to financing for energy efficiency, water efficiency, water quality, air quality, health and renewable energy improvements on certain qualifying properties; providing for assessment contracts between C-PACE lenders and property owners; rights, duties and responsibilities of mortgage lenders; reporting requirements for C-PACE lenders, by Committee on Financial Institutions and Rural Development.

**HB 2321**, AN ACT concerning electric utilities; relating to the state corporation commission; construction of urban electric transmission lines in cities; requiring notice prior to construction, by Representatives Finney and Ellis.

**HB 2322**, AN ACT concerning real estate transactions; regulating contract for deed transactions; making certain deceptive actions violations of the consumer protection act, by Representative Probst.

**HB 2323**, AN ACT concerning marriage; relating to the recognition of marriages; eliminating requirement that parties are opposite sex; amending K.S.A. 2020 Supp. 23-2501, 23-2504 and 23-2508 and repealing the existing sections, by Representatives Woodard, Byers and Ruiz, S..

**HB 2324**, AN ACT concerning insurance; relating to certain health benefit plans; certain prescription drug benefits; establishing a \$100 maximum out-of-pocket cost-share per month per covered person for prescription insulin, by Committee on Insurance and Pensions.

**HB 2325**, AN ACT concerning insurance; relating to health insurers; healthcare providers; billing practices; prohibiting balance bills and surprise medical bills; providing for independent dispute resolution; requiring the adoption of rules and regulations; creation of provider directories; enacting the end surprise medical bills act, by Committee on Insurance and Pensions.

**HB 2326**, AN ACT concerning elections; regarding precinct committeemen and committeewomen; requiring reporting of certain information to the county clerk; amending K.S.A. 2020 Supp. 25-3801 and repealing the existing section, by Representative Lee-Hahn.

**HB 2327**, AN ACT concerning counties; relating to county homes for the aged and county hospitals; restricting county board of commissioners, trustees or employees from infringing upon residents' rights to receive and refuse visitors in county homes for the aged and county hospitals; permitting residents and patients to waive restrictions imposed to control transmission of prevention of an infection disease; amending K.S.A. 19-2110 and K.S.A. 2020 Supp. 19-4610 and repealing the existing sections, by Representative Lee-Hahn.

**HB 2328**, AN ACT concerning income taxation; providing certain tax credits for graduates of aerospace and aviation-related educational programs and employers of program graduates, by Representatives Tarwater, Anderson, Bergquist, B. Carpenter, Croft, Delperdang, Estes, Helmer, Hoheisel, Howard, Huebert, Humphries, Kessler, Penn, Rhiley, Sawyer and K. Williams.

**HB 2329**, AN ACT concerning pipeline safety; relating to the state corporation commission; pipeline safety program; entities who are subject to the program; increasing the maximum penalties that may be imposed for safety violations; amending K.S.A. 66-1,150 and 66-1,151 and repealing the existing sections, by Committee on Energy, Utilities and Telecommunications.

**HB 2330**, AN ACT concerning energy; relating to electric public utilities; authorizing certain sales of electricity pursuant to power purchase agreements; exempting such sales from the retail electric suppliers act and certain renewable energy suppliers from public utility regulation; amending K.S.A. 66-104, 66-1,170, 66-1,184 and 66-1264 and repealing the existing sections, by Committee on Energy, Utilities and Telecommunications.

**HB 2331**, AN ACT concerning wildlife; relating to certain duties of the secretary of wildlife, parks and tourism; providing for the transferability of deer permits to nonresidents, by Representatives Corbet, Barker, Garber, Highland, Hoffman, Newland, Seiwert and Tarwater.

**HB 2332**, AN ACT concerning elections; relating to advance voting ballots; requiring identification of the sender on third party solicitations to registered voters to file an application for an advance voting ballot; amending K.S.A. 2020 Supp. 25-1122 and repealing the existing section, by Representative Toplikar.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Agriculture: **HB 2284**.

Appropriations: **HB 2286**.

Children and Seniors: **HB 2271, HB 2283**.

Commerce, Labor and Economic Development: **HB 2293, HB 2297, HB 2298**.

Corrections and Juvenile Justice: **HB 2274, HB 2275, HB 2276, HB 2277, HB 2288, HB 2300**.

Education: **HB 2301, HB 2302**.

Elections: **HB 2278**.

Energy, Utilities and Telecommunications: **HB 2290, HB 2291**.

Federal and State Affairs: **HCR 5010**.

Financial Institutions and Rural Development: **HB 2282**.

Health and Human Services: **HB 2279, HB 2280, HB 2281**.

Insurance and Pensions: **HB 2289**.  
 Judiciary: **HB 2285, HB 2292, HB 2299**.  
 K-12 Education Budget: **HB 2287**.  
 Taxation: **HB 2272, HB 2273**.  
 Transportation: **HB 2294, HB 2295, HB 2296**.

### CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2203** from Committee on Appropriations and referral to Committee on Agriculture and Natural Resources Budget.

Also, the withdrawal of **HB 2249** from Committee on Appropriations and referral to Committee on Social Services Budget.

Also, the withdrawal of **HB 2250** from Committee on Appropriations and referral to Committee on Social Services Budget.

Also, the withdrawal of **HB 2248** from Committee on Appropriations and referral to Committee on Social Services Budget.

Also, the withdrawal of **HB 2287** from Committee on K- 12 Education Budget and referral to Committee on Commerce Labor and Economic Development.

### MESSAGE FROM THE SENATE

Announcing passage of **SB 22, SB 32, SB 36, SB 55, SB 58, SB 64, and SB 70**.

### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

**SB 22, SB 32, SB 36, SB 55, SB 58, SB 64, SB 70**.

### CONSENT CALENDAR

No objection was made to **HB 2050** appearing on the Consent Calendar for the second day.

No objection was made to **HB 2072** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2072**, AN ACT concerning insurance; relating to risk-based capital requirements; updating the version of instructions in effect; amending K.S.A. 2020 Supp. 40-2c01 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix,

Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Francis, Henderson.

The bill passed.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Mason in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Mason, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2102, HB 2112, HB 2030, HB 2075, HB 2062, HB 2167, HB 2005** be passed.

Committee report to **HB 2014** be adopted; and the bill be passed as amended.

Committee report to **HB 2063** be adopted; and the bill be passed as amended.

Committee report to **HB 2081** be adopted; and the bill be passed as amended.

Committee report to **HB 2064** be adopted; and the bill be passed as amended.

#### INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hawkins pursuant to House Rule 2311, **HB 2005, HB 2014, HB 2030, HB 2062, HB 2063, HB 2064, HB 2075, HB 2081, HB 2102, HB 2112** and **HB 2167** were advanced to Final Action on Bills and Concurrent Resolutions.

#### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2102**, AN ACT concerning agriculture; relating to eggs; repackaging requirements for retailers; amending K.S.A. 2020 Supp. 2-2510 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 2; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner,

Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Carmichael, Rhiley.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

**HB 2014**, AN ACT concerning motor vehicles; relating to the registration and regulation of military surplus vehicles; amending K.S.A. 8-194, 8-195 and 8-196 and K.S.A. 2020 Supp. 8-1486 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 1; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Rhiley.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

#### EXPLANATION OF VOTE

MR. SPEAKER, I voted no on **HB 2014** because these military vehicles are heavier than normal vehicles. These vehicles should be taxed like farm trucks with payment of road taxes to cover the cost of road repairs.— BILL RHILEY

**HB 2112**, AN ACT concerning self-storage rental units; relating to sales by operators of property due to abandonment or nonpayment of rent; occupant's designation of alternate contact; contractual value of property; amending K.S.A. 58-816 and K.S.A. 2020 Supp. 58-817 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 5; Present but not voting: 0; Absent or not voting: 0.

Yeas: Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild,

Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Alcalá, Carlin, Garber, Probst, Rhiley.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

**HB 2063**, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; providing certain spousal and children's benefits for death resulting from a service-connected disability; enacting the Michael Wells memorial act; amending K.S.A. 74-4960a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

**HB 2030**, AN ACT concerning crimes, punishment and criminal procedure; relating to terminal medical release; criteria for release; permitting release earlier in terminal diagnosis; amending K.S.A. 2020 Supp. 22-3729 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 96; Nays 29; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Baker, Ballard, Bergkamp, Bergquist,

Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, Clayton, Coleman, Collins, Concannon, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoheisel, Howard, Howe, Hoye, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Miller, Minnix, Moser, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Poskin, Probst, Proehl, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Thompson, Toplikar, Vaughn, Victors, Waggoner, Wasinger, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Arnberger, Barker, Blex, Burris, B. Carpenter, W. Carpenter, Clark, Corbet, Croft, Garber, Helmer, Hoffman, Houser, Huebert, Jacobs, Lee-Hahn, Mason, Murphy, Penn, Poetter, Proctor, Rahjes, Rhiley, Seiwert, Sutton, Tarwater, Thomas, Turner, Waymaster.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

**HB 2075**, AN ACT concerning the probate code; relating to adoption; venue; agency adoptions; amending K.S.A. 2020 Supp. 59-2126 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

**HB 2062**, AN ACT concerning the state child death review board; relating to confidentiality of records; exceptions thereto; amending K.S.A. 2020 Supp. 22a-243 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker,

Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

**HB 2081**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; multiple sentences for people convicted of a new crime; modifying how certain prior convictions are counted for the special sentencing rule related to possession of a controlled substance; amending K.S.A. 2020 Supp. 21-6606 and 21-6805 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 69; Nays 56; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcala, Amyx, Anderson, Baker, Ballard, Bergkamp, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, Clayton, Coleman, Collins, Concannon, Curtis, Day, Dodson, M., Donohoe, Eplee, Featherston, Finney, French, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoheisel, Howe, Hoye, Humphries, Jennings, S. Johnson, Kelly, Kuether, Minnix, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, Poskin, Probst, Ralph, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, C., Stogsdill, Thompson, Toplikar, Vaughn, Victors, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Arnberger, Awerkamp, Barker, Bergquist, Blex, Burris, B. Carpenter, W. Carpenter, Clark, Corbet, Croft, Delperdang, Ellis, Esau, Estes, Fairchild, Finch, Francis, Garber, Hawkins, Helmer, Highland, Hoffman, Houser, Howard, Huebert, Jacobs, T. Johnson, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Moser, Murphy, Neelly, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Resman, Rhiley, Seiwert, Smith, A., Smith, E., Sutton, Tarwater, Thomas, Turner, Waggoner, Wasinger, Waymaster.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

#### EXPLANATION OF VOTE

MR. SPEAKER: I would support the second portion of this bill to clarify legislative intent regarding the use of special sentencing rules. However, I cannot support the first part. People who are on release from custody for committing a felony, and who then

commit another felony while on release, should receive the maximum possible sentence and those sentences should run back to back, and not at the same time. This bill would allow for some of those sentences to run at the same time and therefore I must vote no on **HB 2081**. – BLAINE FINCH, JOHN E. BARKER, CARL TURNER, SUSAN OLIVER ESTES, PATRICK PENN

**HB 2064**, AN ACT concerning retirement and pensions; relating to the Kansas deferred retirement option program act; election; extension of initial DROP period; amending K.S.A. 74-4986n and K.S.A. 2020 Supp. 74-4986l and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed, as amended.

**HB 2167**, AN ACT concerning motor vehicles; relating to license plates; permitting concrete mixer trucks and requiring dump trucks to display license plates on the front of vehicles; amending K.S.A. 2020 Supp. 8-133 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer,

Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

**HB 2005**, AN ACT concerning the boiler safety act; relating to exceptions to the applicability of the act; specifications for certain hot water supply boilers; amending K.S.A. 2020 Supp. 44-915 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 125; Nays 0; Present but not voting: 0; Absent or not voting: 0.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: None.

The bill passed.

## REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2021** be passed.

Committee on **Children and Seniors** recommends **HB 2116**, **HB 2151** be passed.

Committee on **Children and Seniors** recommends **HB 2150** be amended on page 7, in line 38, by striking "officer" and inserting "officers"; in line 39, after the comma by inserting "and nursing facilities, nursing facilities for mental health, intermediate care facilities for people with intellectual disability, assisted living facilities, residential healthcare facilities and home plus as defined in K.S.A. 39-923, and amendments thereto,"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2052**, be amended as recommended by the Committee on Elections as reported in the Journal of the House on February 3, 2021, and the bill as printed with amendments by the Committee on Elections, be further amended on page 1, in line 17, by striking all after "from"; in line 18, by striking all

before "of" and inserting "legislators"; in line 19, by striking "\$150" and inserting "\$500"; following line 19, by inserting:

"(c) Prior to the end of each legislative session, the division of legislative administrative services shall provide to each legislator a form on which each legislator shall report the amount of money, if any, given by such legislator as a gift to any legislative assistant or committee assistant.";

Also on page 1, in line 22, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 2, by striking "a gift" and inserting "gifts from legislators"; also in line 2, by striking "\$150" and inserting "\$500"; and the bill be passed as amended.

Committee on **Energy, Utilities and Telecommunications** recommends **HB 2145** be passed.

Committee on **Financial Institutions and Rural Development** recommends **HB 2158** be passed.

Committee on **Federal and State Affairs** recommends **HB 2058** be amended on page 2, in line 37, after "(b)" by inserting "Except as otherwise provided in subsection (d).";

On page 3, following line 15, by inserting:

"(d) If at any time it becomes impractical for the division of vehicles of the department of revenue to issue physical cards consistent with the requirements of this act and the attorney general determines that the conditions for such impracticality have existed for at least 30 days, the attorney general shall issue an authorization document to each licensee that authorizes the licensee to exercise the rights and privileges to carry a concealed handgun as set forth in this act. Such document shall include the licensee information required under subsection (b) and state that the document is proof that the licensee holds a valid license to carry concealed handguns. All such documents issued during any such period that it is impractical for the division of vehicles of the department of revenue to issue a physical card shall expire 90 days after such conditions have ceased and it is practical for the division of vehicles to resume issuing physical cards.

Sec. 3. K.S.A. 75-7c05 is hereby amended to read as follows: 75-7c05. (a) The application for a license pursuant to this act shall be completed, under oath, on a form prescribed by the attorney general and shall only include:

(1) (A) Subject to the provisions of subsection (a)(1)(B), the name, address, social security number, Kansas driver's license number or Kansas nondriver's license identification number, place and date of birth, a photocopy of the applicant's driver's license or nondriver's identification card and a photocopy of the applicant's certificate of training course completion; (B) in the case of an applicant who presents proof that such person is on active duty with any branch of the armed forces of the United States, or is the dependent of such a person, and who does not possess a Kansas driver's license or Kansas nondriver's license identification, the number of such license or identification shall not be required;

(2) a statement that the applicant is in compliance with criteria contained within K.S.A. 75-7c04, and amendments thereto;

(3) a statement that the applicant has been furnished a copy of this act and is knowledgeable of its provisions;

(4) a conspicuous warning that the application is executed under oath and that a false answer to any question, or the submission of any false document by the applicant, subjects the applicant to criminal prosecution under K.S.A. 2020 Supp. 21-5903, and amendments thereto; and

(5) a statement that the applicant desires a concealed handgun license as a means of lawful self-defense.

(b) Except as otherwise provided in subsection (i), the applicant shall submit to the sheriff of the county where the applicant resides, during any normal business hours:

(1) A completed application described in subsection (a);

(2) a nonrefundable license fee of \$132.50, if the applicant has not previously been issued a statewide license or if the applicant's license has permanently expired, which fee shall be in the form of two cashier's checks, personal checks or money orders of \$32.50 payable to the sheriff of the county where the applicant resides and \$100 payable to the attorney general;

(3) if applicable, a photocopy of the proof of training required by K.S.A. 75-7c04(b)(1), and amendments thereto; and

(4) a full frontal view photograph of the applicant taken within the preceding 30 days.

(c) (1) Except as otherwise provided in subsection (i), the sheriff, upon receipt of the items listed in subsection (b), shall provide for the full set of fingerprints of the applicant to be taken and forwarded to the attorney general for purposes of a criminal history records check as provided by subsection (d). In addition, the sheriff shall forward to the attorney general the application and the portion of the original license fee which is payable to the attorney general. The cost of taking such fingerprints shall be included in the portion of the fee retained by the sheriff. Notwithstanding anything in this section to the contrary, an applicant shall not be required to submit fingerprints for a renewal application under K.S.A. 75-7c08, and amendments thereto.

(2) The sheriff of the applicant's county of residence or the chief law enforcement officer of any law enforcement agency, at the sheriff's or chief law enforcement officer's discretion, may participate in the process by submitting a voluntary report to the attorney general containing readily discoverable information, corroborated through public records, which, when combined with another enumerated factor, establishes that the applicant poses a significantly greater threat to law enforcement or the public at large than the average citizen. Any such voluntary reporting shall be made within 45 days after the date the sheriff receives the application. Any sheriff or chief law enforcement officer submitting a voluntary report shall not incur any civil or criminal liability as the result of the good faith submission of such report.

(3) All funds retained by the sheriff pursuant to the provisions of this section shall be credited to a special fund of the sheriff's office which shall be used solely for the purpose of administering this act.

(d) Each applicant shall be subject to a state and national criminal history records check which conforms to applicable federal standards, including an inquiry of the national instant criminal background check system for the purpose of verifying the identity of the applicant and whether the applicant has been convicted of any crime or has been the subject of any restraining order or any mental health related finding that would disqualify the applicant from holding a license under this act. The attorney general is authorized to use the information obtained from the state or national criminal

history record check to determine the applicant's eligibility for such license.

(e) Within 90 days after the date of receipt of the items listed in subsection (b), the attorney general shall:

(1) (A) Issue the license and certify the issuance to the department of revenue; and (B) if it is impractical for the division of vehicles of the department of revenue to issue physical cards consistent with the requirements of this act and the attorney general has determined that the conditions for such impracticality have existed for at least 30 days, the attorney general shall issue an authorization document in accordance with K.S.A. 75-7c03(d), and amendments thereto; or

(2) deny the application based solely on: (A) The report submitted by the sheriff or other chief law enforcement officer under subsection (c)(2) for good cause shown therein; or (B) the ground that the applicant is disqualified under the criteria listed in K.S.A. 75-7c04, and amendments thereto. If the attorney general denies the application, the attorney general shall notify the applicant in writing, stating the ground for denial and informing the applicant the opportunity for a hearing pursuant to the Kansas administrative procedure act.

(f) Each person issued a license shall pay to the department of revenue a fee for the cost of the license which shall be in amounts equal to the fee required pursuant to K.S.A. 8-243 and 8-246, and amendments thereto, for replacement of a driver's license.

(g) (1) A person who is a retired law enforcement officer, as defined in K.S.A. 2020 Supp. 21-5111, and amendments thereto, shall be: (A) Required to pay an original license fee as provided in subsection (b)(2), to be forwarded by the sheriff to the attorney general; (B) exempt from the required completion of a handgun safety and training course if such person was certified by the Kansas commission on peace officer's standards and training, or similar body from another jurisdiction, not more than eight years prior to submission of the application; (C) required to pay the license renewal fee; (D) required to pay to the department of revenue the fees required by subsection (f); and (E) required to comply with the criminal history records check requirement of this section.

(2) Proof of retirement as a law enforcement officer shall be required and provided to the attorney general in the form of a letter from the agency head, or their designee, of the officer's retiring agency that attests to the officer having retired in good standing from that agency as a law enforcement officer for reasons other than mental instability and that the officer has a nonforfeitable right to benefits under a retirement plan of the agency.

(h) A person who is a corrections officer, a parole officer or a corrections officer employed by the federal bureau of prisons, as defined by K.S.A. 75-5202, and amendments thereto, shall be: (1) Required to pay an original license fee as provided in subsection (b)(2); (2) exempt from the required completion of a handgun safety and training course if such person was issued a certificate of firearms training by the department of corrections or the federal bureau of prisons or similar body not more than one year prior to submission of the application; (3) required to pay the license renewal fee; (4) required to pay to the department of revenue the fees required by subsection (f); and (5) required to comply with the criminal history records check requirement of this section.

(i) A person who presents proof that such person is on active duty with any branch of the armed forces of the United States and is stationed at a United States military

installation located outside this state, may submit by mail an application described in subsection (a) and the other materials required by subsection (b) to the sheriff of the county where the applicant resides. Provided the applicant is fingerprinted at a United States military installation, the applicant may submit a full set of fingerprints of such applicant along with the application. Upon receipt of such items, the sheriff shall forward to the attorney general the application and the portion of the original license fee which is payable to the attorney general.";

Also on page 3, in line 16, after "75-7c03" by inserting "and 75-7c05";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the second semicolon by inserting "authorizing the issuance of alternative license during a declared state of disaster emergency;"; in line 3, after "75-7c03" by inserting "and 75-7c05"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2087** be amended on page 4, in line 27, by striking "2021" and inserting "2023"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2178** be passed.

Committee on **Financial Institutions and Rural Development** recommends **HB 2187** be passed.

Committee on **Financial Institutions and Rural Development** recommends **SB 15**, as amended by Senate Committee of the Whole, be passed.

Committee on **Water** recommends **HB 2172** be amended on page 2, in line 11, by striking all after "2009"; in line 12, by striking all before the period;

On page 3, in line 4, by striking "in the public interest," and inserting "necessary for compliance with a local enhanced management area or intensive use groundwater area and the corrective controls in the area do not prohibit the use of multi-year flex accounts, and"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills and concurrent resolutions were introduced and read by title:

**HB 2333**, AN ACT concerning elections; relating to advance voting ballots; prohibiting acceptance of incomplete applications for such ballots; prohibiting candidates for office from engaging in certain conduct; expanding the crime of electioneering; amending K.S.A. 2020 Supp. 25-1122, 25-1124 and 25-2430 and repealing the existing sections, by Representative Toplikar.

**HB 2334**, AN ACT concerning elections; relating to electronic voting machines; prohibiting network connections to such machines; providing for a recount of results generated by such machines; amending K.S.A. 2020 Supp. 25-3107 and 25-4406 and repealing the existing sections, by Representative Toplikar.

**HB 2335**, AN ACT concerning agriculture; creating the Kansas cotton commission; relating to the powers and duties thereof; requiring the commission to levy an assessment upon cotton marketed through commercial channels in the state of Kansas at a rate of not more than 10 cents per bale, by Committee on Agriculture.

**HB 2336**, AN ACT concerning wildlife; relating to wildlife violations; creating a violation and imposing penalties for taking wildlife simulated devices, by Committee on Agriculture.

**HB 2337**, AN ACT concerning traffic regulations; relating to vulnerable road users; creating a misdemeanor for causing great bodily harm to a vulnerable road user; providing additional penalties as determined by a court; amending K.S.A. 2020 Supp. 8-255 and repealing the existing section, by Committee on Transportation.

**HB 2338**, AN ACT concerning the department for children and families; relating to children and minors; establishing a pilot program for obtaining drivers' licenses; eligible participants and costs thereof; program administration duties; liability, by Committee on Children and Seniors.

**HB 2339**, AN ACT concerning elections; expanding the crime of election tampering; amending K.S.A. 2020 Supp. 25-2423 and repealing the existing section, by Representative Toplikar.

**HB 2340**, AN ACT concerning cigarettes and tobacco products; increasing the minimum age to purchase or possess such products; amending K.S.A. 72-6285, 79-3301, 79-3302, 79-3303, 79-3304, 79-3309, 79-3321, 79-3322, 79-3323, 79-3326, 79-3334, 79-3335, 79-3388, 79-3391, 79-3394, 79-3396 and 79-3399 and K.S.A. 2020 Supp. 21-6109, 21-6110 and 50-6a14 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2341**, AN ACT concerning motor vehicles; relating to the vehicle dealers and manufacturing act; permitting first and second stage vehicle manufacturers to be vehicle dealers; eliminating territory restrictions for vehicle dealers; creating an interest rate cap for motor vehicle loans; amending K.S.A. 8-2438 and K.S.A. 2020 Supp. 8-2404, 8-2444 and 16-207 and repealing the existing sections; also repealing K.S.A. 8-2430, 8-2431 and 8-2432, by Committee on Transportation.

**HB 2342**, AN ACT concerning health and healthcare; relating to the practice of pharmacy; allowing a pharmacist to prescribe and dispense self-administered contraceptives; amending K.S.A. 65-1626a and K.S.A. 2020 Supp. 65-1626 and repealing the existing sections, by Representative Vaughn.

**HB 2343**, AN ACT concerning insurance; health insurance coverage; providing coverage for prescription contraceptives dispensed for three-month or 12-month periods; amending K.S.A. 2020 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Representative Vaughn.

**HB 2344**, AN ACT concerning Riley county; requiring the election of a sheriff and the abolishment of the Riley county law enforcement agency; repealing K.S.A. 19-4424, 19-4425, 19-4426, 19-4427, 19-4428, 19-4429, 19-4430, 19-4431, 19-4432, 19-4433, 19-4434, 19-4435, 19-4436, 19-4437, 19-4438, 19-4439, 19-4440, 19-4441, 19-4443, 19-4444 and 19-4445 and K.S.A. 2020 Supp. 19-4442, by Committee on Elections.

**HB 2345**, AN ACT concerning children and minors; relating to the legislature; establishing the office of the child advocate for children's protection and services; prescribing certain powers, duties and functions; amending K.S.A. 2020 Supp. 38-2211, 38-2212, 38-2213, 38-2309 and 38-2310 and repealing the existing sections, by Representatives Ousley, Baker, Carlson, Concannon, Curtis, Esau, Finney, Helmer, Hoheisel, Hoyer, Humphries, T. Johnson, Neighbor, Penn, Resman, Rhiley, Ruiz, S. and Vaughn.

**HB 2346**, AN ACT concerning crimes, punishment and criminal procedure; relating to pretrial release of defendants; authorizing supervision by pretrial supervision entity or program; payment of fees; amending K.S.A. 22-2803, 22-2814 and 22-2816 and K.S.A. 2020 Supp. 22-2802 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2347**, AN ACT concerning crimes, punishment and criminal procedure; relating to sex offenses; creating rape during a treatment session; reducing criminal penalties for attempt, conspiracy and solicitation of certain sex offenses; removing the marriage defense to rape and sodomy; modifying the elements of and decreasing the criminal penalty for unlawful voluntary sexual relations; removing registration requirements for unlawful voluntary sexual relations; amending K.S.A. 2020 Supp. 21-5301, 21-5302, 21-5303, 21-5503, 21-5504, 21-5506, 21-5507, 21-5510, 21-5514, 21-6422, 21-6627 and 22-4902 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2348**, AN ACT concerning insurance; relating to automobile liability insurance; modifying uninsured and underinsured motorist coverage liability limitations for bodily injury or death; amending K.S.A. 40-284 and repealing the existing section, by Committee on Judiciary.

**HB 2349**, AN ACT concerning the Kansas offender registration act; relating to relief from registration; violation of act; decreasing criminal penalties; providing for waiver of fees by the court; obstructing apprehension or prosecution; reducing required registration locations; information required to register; eliminating registration for certain juvenile offenders; amending K.S.A. 74-7335 and K.S.A. 2020 Supp. 21-5913, 21-6614, 21-6804, 22-4902, 22-4903, 22-4904, 22-4905, 22-4906, 22-4907, 22-4908 and 22-4909 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2350**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; nondrug crimes; expanding the number of presumptive probation and border grid blocks; amending K.S.A. 2020 Supp. 21-6804 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2351**, AN ACT concerning high school work-based learning programs; liability for students and business, municipal and post-secondary educational institution program providers; amending K.S.A. 72-18,101 and 72-18,102 and repealing the existing sections, by Committee on K-12 Education Budget.

**HB 2352**, AN ACT concerning sales taxation; relating to exemptions; providing for an exemption for farm products sold at farmers' markets; amending K.S.A. 79-3606 and repealing the existing section, by Representative Vaughn.

**HB 2353**, AN ACT establishing the Kansas commission for the United States semiquincentennial in the department of wildlife, parks and tourism; prescribing commission membership, responsibilities, meetings and expiration; creating the Kansas commission for the United States semiquincentennial gifts and donations fund. , by Committee on Appropriations.

**HB 2354**, AN ACT concerning public employee and professional employees' organizations; relating to dues; commencement and cessation of withholding of dues; procedure; providing certain rights to employees; amending K.S.A. 72-2219, 72-2241, 75-4324, 75-4327 and 75-5501 and K.S.A. 2020 Supp. 44-319 and repealing the existing sections, by Committee on K-12 Education Budget.

HOUSE CONCURRENT RESOLUTION No. **HCR 5011**—

By Representatives Woodard, Byers and Ruiz, S.

**HCR 5011**—A PROPOSITION to repeal section 16 of article 15 of the constitution of the state of Kansas, relating to marriage being only between individuals of the opposite sex.

*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: Section 16 of article 15 of the constitution of the state of Kansas is hereby repealed.

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

*"Explanatory statement.* This amendment would repeal section 16 of article 15 of the constitution of the state of Kansas in its entirety. This section currently provides that marriage is constituted by one man and one woman only.

"A vote for this proposition would repeal section 16 of article 15 of the constitution of the state of Kansas in its entirety.

"A vote against this proposition would leave section 16 of article 15 of the constitution of the state of Kansas as it currently exists."

Sec. 3. This resolution, if approved by 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, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2022, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

HOUSE CONCURRENT RESOLUTION No. **HCR 5012**—

By Representative Parker

**HCR 5012**—A PROPOSITION to amend the constitution of the state of Kansas by revising article 10, relating to reapportionment of congressional districts, legislative districts and state board of education member districts.

*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 10 of the constitution of the state of Kansas is hereby revised to read as follows:

**"Article 10.—APPORTIONMENT OF CONGRESSIONAL,  
LEGISLATIVE AND STATE BOARD OF EDUCATION MEMBER  
DISTRICTS**

**"§ 1. Reapportionment of districts required.** At its regular session in 2022, and at its regular session every 10<sup>th</sup> year thereafter, the legislature shall by law reapportion the United States congressional districts, the state senatorial districts, the state representative districts and the state board of education member districts as provided by this article. Reapportionment of such districts shall be on the basis of the population of the state as established by the most recent census of population taken and published by the United States bureau of the census. Senatorial, representative and state board of education member districts shall be reapportioned upon the basis of the population of the state.

**"§ 2. Establishment of redistricting commission.** (a) Not later than February 15 of each year ending in one, a redistricting commission shall be established to recommend to the legislature redistricting plans for United States congressional districts, state representative districts, state senatorial districts and state board of education member districts.

(b) The redistricting commission shall consist of the following members:

(1) One shall be appointed by the majority leader of the senate;

(2) one shall be appointed by the majority leader of the house of representatives;

(3) one shall be appointed by the minority leader of the senate;

(4) one shall be appointed by the minority leader of the house of representatives; and

(5) within 30 days after the appointments described in paragraphs (1) through (4) have been made, but not later than March 15 of the year in which the commission is established, the four commission members so appointed shall select, by a vote of at least three members, the fifth commission member who shall be nonpartisan, who shall serve as chairperson.

(c) Any vacancy in the membership of the redistricting commission shall be filled in the same manner as the original appointment or selection.

(d) No person, while a member of the commission, shall:

(1) Hold any federal, state or local office; or

(2) be an employee of the Kansas legislature, state board of education or United States congress.

(e) No person who has been a member of the redistricting commission shall be eligible, within two years after being a member of the commission, to:

(1) Be a member or employee of the Kansas legislature or state board of education; or

(2) hold any appointive state or federal office.

(f) The legislature shall provide by law for payment of compensation and expenses of members of the redistricting commission and for adequate staff, office space, equipment and materials for the commission.

(g) The terms of members of the redistricting commission shall expire on July 1 of each year ending in two, and the commission shall be inactive until reestablishment of the commission pursuant to this section.

**"§ 3. Commission procedure and recommendations.** (a) The redistricting commission shall establish rules and procedures as necessary to carry out the commission's functions. The rules and procedures shall include rules requiring formal submission to the commission of all communications with commission members. Ex parte communications with members of the commission in relation to the merits of matters before the commission shall be prohibited. Members of the commission shall report any violations of this prohibition to the attorney general and the legislature shall provide by law criminal penalties for such violations.

(b) The redistricting commission shall conduct public hearings throughout the state, including at least one public hearing in each of the 10 state board of education member districts.

(c) In recommending redistricting plans, the redistricting commission shall consider only the requirements of the constitution of the state of Kansas and the constitution of the United States, preservation of political subdivisions and preservation of communities of interest. Except as expressly provided in this subsection, the commission shall not intentionally develop redistricting plans that favor or discriminate against any individual, political party or group.

**"§ 4. Legislative action; court review and action.** (a) On or before the first day of the regular legislative session in each year ending in two, the redistricting commission shall introduce in the house of representatives a bill reapportioning the state representative districts and a bill reapportioning the United States congressional districts, and shall introduce in the senate a bill reapportioning the state senatorial districts and a bill reapportioning the state board of education member districts. The bills shall not be subject to amendment by either chamber of the legislature and each such bill shall be acted upon by each chamber within seven days after the bill is introduced in the chamber.

(b) If a bill introduced pursuant to subsection (a) is not enacted, the redistricting commission, within 10 days after rejection of the bill by either chamber of the legislature or veto of the bill by the governor, shall introduce another bill reapportioning such districts. If the Kansas supreme court enters a judgment that a bill introduced pursuant to subsection (a) is invalid, the redistricting commission, within 10 days after entry of the judgment, shall introduce another bill reapportioning such districts. Introduction of a bill pursuant to this section shall be in the same chamber as introduction of the original bill pursuant to subsection (a). The bill shall not be subject to amendment by either chamber and shall be acted upon by each chamber within seven days after the bill is introduced in the chamber.

(c) If a bill introduced pursuant to subsection (b) is not enacted, the redistricting commission, within 10 days after rejection of the bill by either chamber of the legislature or veto of the bill by the governor, shall introduce another bill reapportioning such districts. If the Kansas supreme court enters a judgment that a bill introduced pursuant to subsection (b) is invalid, the redistricting commission, within 10 days after entry of the judgment, shall introduce another bill reapportioning such districts. Introduction of a bill pursuant to this section shall be in the same chamber as introduction of the original bill pursuant to subsection (a).

(d) If either chamber of the legislature rejects a bill introduced pursuant to this section, or the governor vetoes the bill, the chamber that rejects the bill, or the governor in the case of a veto, shall transmit to the commission a letter stating the

reasons why the bill was not enacted, and the commission shall take such reasons into consideration in introducing a bill pursuant to this section, subject to the requirements of section 6(c). Any such letter shall be signed by both the speaker of the house of representatives and the minority leader of the house of representatives or both the president of the senate and the minority leader of the senate.

(e) Reapportionment bills shall be published in the Kansas register immediately upon final passage and approval by the governor. The districts enacted shall be effective for the next following regular election of legislators and thereafter until again the districts are reapportioned, except that the senatorial districts shall be effective for the next following regular election at which all senators are elected.

(f) Within 15 days after publication of any reapportionment bills enacted pursuant to this article, the attorney general shall petition the Kansas supreme court to determine the validity of the bill. The Kansas supreme court, in accordance with its rules, shall permit interested persons to present their views. Within 30 days after the filing of the petition, the Kansas supreme court shall enter its judgment. A judgment of the Kansas supreme court determining the bill to be valid shall be final until reapportionment of the districts is again required by this article.

"§ 5. **Implementing legislation.** The legislature may enact legislation, not in conflict with the provisions of this article, as reasonably necessary to implement such provisions."

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

*"Explanatory statement.* Current article 10 of the constitution of the state of Kansas governs reapportionment of state legislative districts. It provides for reapportionment by the legislature and requires that it be based on the most recent census taken by the United States bureau of the census, adjusted to exclude certain military personnel and certain students residing at colleges and universities. The revision of article 10 would govern reapportionment of the United States congressional districts, state legislative districts and the state board of education member districts. Under the revision, a redistricting commission would be established to recommend redistricting plans to the legislature. The legislature would enact a plan which would be subject to review by the Kansas supreme court. There would be strict deadlines for legislative action. Reapportionment of congressional districts, state legislative districts and state board of education member districts would be based on the most recent census taken by the United States bureau of the census, adjusted to exclude certain military personnel and certain students residing at colleges and universities.

"A vote for this proposition would change the procedure for reapportionment of United States congressional, state legislative and state board of education member districts.

"A vote against this proposition would continue the current procedures and basis for reapportionment."

Sec. 3. This resolution, if approved by 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, shall be entered on the journals,

together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2022, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Thursday, February 11, 2021.

# Journal of the House

TWENTY-THIRD DAY

HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, February 11, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Finch in the chair.

The roll was called with 122 members present.

Reps. Howard and Victors were excused on verified illness.

Rep. Weigel was excused on excused absence by the Speaker.

Present later: Rep. Weigel.

Prayer by Chaplain Brubaker,

Almighty God,  
As the Psalmist cried out  
“I lift up my eyes to the mountains—  
where does my help come from?  
My help comes from the Lord,  
the Maker of heaven and earth.”  
As we stand before you today,  
we repent of our dependence on our own power and wisdom  
and diligently seek Your help.  
May our deliberations reflect Your mindfulness  
and our decisions represent Your vision.  
Help us to live up to Your faith and believe in us.  
This I pray in Christ’s name, Amen.

The Pledge of Allegiance was led by Rep. Kuether.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2355**, AN ACT concerning elections; clarifying certain election laws; amending K.S.A. 10-120, 19-3419 and 19-3422 and K.S.A. 2020 Supp. 25-433 and repealing the existing sections, by Committee on Elections.

**HB 2356**, AN ACT concerning civil actions and civil procedure; relating to partition; prescribing procedures and requirements for partition of certain real property; enacting the uniform partition of heirs property act, by Committee on Judiciary.

**HB 2357**, AN ACT concerning taxation; relating to income tax; establishing the property tax relief act that provides residential property tax refunds; providing for an expiration of the selective assistance for effective senior relief credit and homestead property tax refund; amending K.S.A. 79-32,263 and 79-4508 and repealing the existing sections, by Committee on Taxation.

**HB 2358**, AN ACT concerning sales taxation; relating to exemptions; defining nonprofit integrated community care organizations and providing an exemption therefor; amending K.S.A. 79-3602 and 79-3606 and repealing the existing sections, by Committee on Taxation.

**HB 2359**, AN ACT concerning education finance; relating to the Kansas school equity and enhancement act; establishing the nonproficient student weighting; amending K.S.A. 2020 Supp. 72-5131, 72-5132 and 72-5171 and repealing the existing sections, by Committee on K-12 Education Budget.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolutions were referred to committees as indicated:

Agriculture: **HB 2309, HB 2310, HB 2331, HB 2335, HB 2336.**

Appropriations: **HB 2353.**

Children and Seniors: **HB 2338, HB 2345.**

Commerce, Labor and Economic Development: **HB 2305, HB 2306, HB 2307, HB 2311, HB 2312, HB 2351, HB 2354.**

Corrections and Juvenile Justice: **HB 2318, HB 2346, HB 2347, HB 2349, HB 2350.**

Education: **SB 32, SB 64.**

Elections: **HB 2319, HB 2326, HB 2332, HB 2333, HB 2334, HB 2339, HB 2344.**

Energy, Utilities and Telecommunications: **HB 2321, HB 2329, HB 2330.**

Federal and State Affairs: **HB 2323, HB 2340, HCR 5011, HCR 5012.**

Financial Institutions and Rural Development: **HB 2320.**

Health and Human Services: **HB 2327, HB 2342, SB 55.**

Insurance and Pensions: **HB 2324, HB 2325, HB 2343, HB 2348.**

Judiciary: **HB 2308, HB 2322, SB 58.**

Taxation: **HB 2303, HB 2304, HB 2313, HB 2314, HB 2315, HB 2316, HB 2317, HB 2328, HB 2352, SB 22, SB 70.**

Transportation: **HB 2337, HB 2341, SB 36.**

### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6009--**

By Committee on Appropriations

**HR 6009--** A RESOLUTION disapproving Executive Reorganization Order No. 47, renaming the Kansas department for children and families the Kansas department of human services and abolishing the Kansas department for aging and disability services and transferring powers, duties and functions to the Kansas department of human services.

*Be it resolved by the House of Representatives of the State of Kansas:* That Executive Reorganization Order No. 47 is hereby disapproved in accordance with Section 6 of Article 1 of the Constitution of the State of Kansas; and

*Be it further resolved:* That the chief clerk of the house of representatives shall transmit a copy of this resolution to the governor and the secretary of state; and

*Be it further resolved:* That the secretary of state shall cause this resolution to be published in the session laws to show permanently the disapproval of Executive Reorganization Order No. 47 by the House of Representatives.

### CONSENT CALENDAR

No objection was made to **HB 2050** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2050**, AN ACT concerning the legislative division of post audit; removing the requirement to submit certain documents thereto; amending K.S.A. 22-4514a, 75-3728c, 76-721 and 79-3233b and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Victors, Weigel.

The bill passed.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Sutton in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Sutton, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 15**, **HB 2103**, **HB 2134**, **HB 2109**, **HB 2074**, **HB 2120** be passed.

Committee report to **HB 2121** be adopted; and the bill be passed as amended.

Committee report to **HB 2165** be adopted; and the bill be passed as amended.

Committee report to **HB 2001** be adopted; and the bill be passed as amended.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

On emergency motion of Rep. Hawkins pursuant to House Rule 2311, **HB 2001, HB 2074, HB 2103, HB 2109, HB 2120, HB 2121, HB 2134, HB 2165** and **SB 15** were advanced to Final Action on Bills and Concurrent Resolutions.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**SB 15**, AN ACT concerning financial institutions; enacting the Kansas economic recovery loan deposit program; relating to credit unions, field of membership; banks, trust companies and savings and loan institutions, privilege tax, deduction of net interest received from certain agricultural real estate loans and single family residence loans; amending K.S.A. 75-4237 and 79-1109 and K.S.A. 2020 Supp. 17-2205 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Alcalá.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed.

## EXPLANATION OF VOTE

MR. SPEAKER, I voted YES on **SB 15**. Last year I voted NO on a similar bill because the credit union “compromise” was outside the original vision and mission of credit unions. By increasing the field of membership to community up to 2,500,000 people those businesses are getting asset sizes that are now looking, ating and competing with small banks. When you start acting like a bank you should play by for-profit banking rules and pay bank fees to the State. – BILL RHILEY

**HB 2103**, AN ACT concerning agriculture; relating to environmental remediation; establishing the Kansas pesticide waste disposal program and the Kansas pesticide waste disposal fund; permitting annual transfers from the Kansas agricultural remediation fund to the Kansas pesticide waste disposal fund; amending K.S.A. 2-3702

and K.S.A. 2020 Supp. 2-3708 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed.

**HB 2134**, AN ACT concerning insurance; relating to the reinsurance of risk; updating the national association of insurance commissioners credit for reinsurance model law; insurance holding company act; codifying the national association of insurance commissioners credit for insurance model regulation; amending K.S.A. 2020 Supp. 40-221a, 40-3302, 40-3304 and 40-3306 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed.

**HB 2109**, AN ACT concerning the board of indigents' defense services; relating to appointments to the board; increasing population threshold of a county required to have a lawyer member; increasing number of lawyer members; decreasing number of non-lawyer members; amending K.S.A. 22-4519 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 87; Nays 36; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Baker, Ballard, Barker, Bergkamp, Bishop, Borjon, Burroughs, Byers, Carlson, Carmichael, B. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Croft, Curtis, Day, Dodson, M., Donohoe, Ellis, Eplee, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoheisel, Hoyer, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Miller, Moser, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Poskin, Probst, Proctor, Proehl, Ralph, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sawyer, Schreiber, Smith, A., Smith, C., Stogsdill, Thompson, Toplikar, Vaughn, Waggoner, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Arnberger, Awerkamp, Bergquist, Blex, Burris, Carlin, W. Carpenter, Corbet, Delpdang, Esau, Estes, Fairchild, Garber, Helmer, Hoffman, Houser, Howe, Huebert, Jacobs, Lee-Hahn, Mason, Minnix, Murphy, Penn, Poetter, Rahjes, Resman, Rhiley, Sanders, Seiwert, Smith, E., Sutton, Tarwater, Thomas, Turner, Wasinger.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed.

#### EXPLANATION OF VOTE

MR. SPEAKER, I voted NO on **HB 2109** because I disagree that the number of non-lawyer members on the Indigent Defense Board should be decreased and the licensed lawyers should increase by one. It is important to maintain a civilian balance on a board that oversees lawyers that are working for the public interest to protect the least financially capable of our state – BILL RHILEY , RANDY GARBER, TATUM LEE-HAHN

**HB 2121**, AN ACT concerning crimes, punishment and criminal procedure; relating to defendants who abscond from supervision; definitions; amending K.S.A. 75-5217 and K.S.A. 2020 Supp. 22-2202 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 101; Nays 22; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Collins, Concannon, Corbet, Croft, Delpdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highland, Hoffman,

Hoheisel, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Owens, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore.

Nays: Burris, Byers, Carlin, Coleman, Curtis, Day, Fairchild, Featherston, Garber, Helmer, Highberger, Houser, Jacobs, Kuether, Lee-Hahn, Ousley, Parker, Rhiley, Ruiz, S., Vaughn, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed, as amended.

**HB 2165**, AN ACT concerning motor vehicles; relating to antique vehicles; providing that all vehicles that are more than 35 years old qualify as antique vehicles for registration purposes; eliminating references to street rod vehicles; amending K.S.A. 8-194, 8-195 and 8-196 and K.S.A. 2020 Supp. 8-166 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 9; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, F. Patton, Penn, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Vaughn, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Coleman, Featherston, Helmer, Parker, Poetter, Poskin, Ruiz, S., Turner, Waggoner.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed, as amended.

**HB 2074**, AN ACT concerning insurance; relating to producer licensing requirements; agent conduct; pertaining to examinations; fees; renewal dates; suspension, revocation or denial of licensure; licensure renewal; amending K.S.A. 2020 Supp. 40-241, 40-4902, 40-4903, 40-4905, 40-4909, 40-4912, 40-4915, 40-5505 and 40-5512 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed.

**HB 2001**, AN ACT concerning crimes, punishment and criminal procedure; relating to sex offenses; creating the crime of sexual extortion; requiring registration of offenders; amending K.S.A. 2020 Supp. 22-4902 and 22-4906 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed, as amended.

**HB 2120**, AN ACT concerning crimes, punishment and criminal procedure; relating to sex offenses; sexual battery; removing spousal exception; amending K.S.A. 2020 Supp. 21-5505 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 110; Nays 13; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howe, Hoyer, Humphries, Jennings, S. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Blex, Burris, Esau, Garber, Houser, Huebert, Jacobs, T. Johnson, Lee-Hahn, Poetter, Rhiley, Samsel, Waggoner.

Present but not voting: None.

Absent or not voting: Howard, Victors.

The bill passed.

#### EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **HB 2120**. While I abhor abuse, especially when perpetuated within the sacred bounds of marriage, we have laws that address spousal abuse. In addition, I had less than 24 hours to study this bill as I do not sit on the committee where it was heard and only learned it was up 20 hours ago. I might have been a yes if given an additional 24 hours to consider the ramifications of this change in statute but with a non-emergency EFA action that option was not provided. – CHARLOTTE ESAU

#### REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **HB 2155** be passed.

Committee on **Education** recommends **HB 2085**, **HB 2124** be passed.

Committee on **Education** recommends **HB 2039** be reported without recommendation.

#### REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 5**, by Representative Broderick Henderson, congratulating Rose Marie Johnson in honor of her 94<sup>th</sup> birthday.

**Request No. 6**, by Representative Joe Seiwert, congratulating Kansas Electric Cooperatives, Inc. on their 80<sup>th</sup> Anniversary celebrating the electric co-op's commitment to powering homes, businesses, and dreams.

**Request No. 7**, by Representative Ponka We Victors, commending Martin Garcia for her dedication, volunteer work and commitment to our community.

**Request No. 8**, by Representative Ponka We Victors, commending Sarah Lopez for making history as the first Latina to be elected to the Sedgwick County Commission.

**Request No. 9**, by Representative Ponka We Victors, Honoring Denise Romero for her dedication and commitment to our community.

**Request No. 10**, by Representative Ponka We Victors, Honoring Renee Carrion for her dedication and commitment to our community.

**Request No. 11**, by Representative Pat Proctor, Honoring Olivia Pratt for the the first American Heritage girl in Troop KS0167 and only sixth in the State of Kansas to be awarded the Starts and Stripes Award.

**Request No. 12**, by Representative Brandon Woodard, honoring Matilde Evans on celebrating her 100<sup>th</sup> birthday.

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hawkins, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2360**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; removing recklessly causing fear or evacuation, lock down or disruption in regular, ongoing activities from the crime of criminal threat; amending K.S.A. 2020 Supp. 21-5415 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2361**, AN ACT concerning courts; relating to specialty courts; authorizing the supreme court to adopt rules related thereto; establishing the specialty court funding advisory committee and the specialty court resources fund; amending K.S.A. 2020 Supp. 21-6604 and 21-6614 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2362**, AN ACT concerning crimes, punishment and criminal procedure; relating to abuse of a child; modifying the elements of the offense; increasing criminal penalties thereof; amending K.S.A. 2020 Supp. 21-5602 and repealing the existing section, by Committee on Judiciary.

**HB 2363**, AN ACT concerning the board of indigents' defense services; relating to appointed counsel; authorizing the rate paid to appointed counsel to be higher than \$80 per hour; amending K.S.A. 22-4507 and repealing the existing section, by Committee on Judiciary.

**HB 2364**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against public morals; cruelty to animals; adding a definition of torturing; amending K.S.A. 2020 Supp. 21-6412 and repealing the existing section, by Committee on Judiciary.

**HB 2365**, AN ACT concerning crimes, punishment and criminal procedure; relating to controlled substances; providing immunity from prosecution for seeking medical assistance, by Committee on Judiciary.

**HB 2366**, AN ACT concerning crimes, punishment and criminal procedure; relating to jailhouse witness testimony; requiring prosecutors to disclose their intent to introduce testimony from a jailhouse witness and to forward related information to the Kansas bureau of investigation, by Committee on Judiciary.

**HB 2367**, AN ACT concerning the state corporation commission; relating to public utilities; authorizing regulation of certain wire stringing activities; amending K.S.A. 66-104 and repealing the existing section, by Committee on Energy, Utilities and Telecommunications.

**HB 2368**, AN ACT concerning insurance; relating to motor vehicle liability insurance; increasing the minimum policy limit for bodily injury; amending K.S.A. 2020 Supp. 40-3107 and repealing the existing section, by Committee on Insurance and Pensions.

**HB 2369**, AN ACT concerning the Kansas closed case task force; relating to expiration of the task force; extending the task force and providing for staff assistance; amending K.S.A. 2020 Supp. 21-6901 and repealing the existing section, by Committee on Judiciary.

**HB 2370**, AN ACT concerning occupational licensure; relating to criminal convictions; prohibiting a conviction from disqualifying a person for licensure; amending K.S.A. 74-120 and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Finch announced the appointment of Rep. Jacobs to replace Rep. Huebert on Committee on K-12 Education Budget Committee on February 11, 2021.

Also, the appointment of Rep. Sawyer to replace Rep. Victors on Committee on Transportation and Public Safety Budget on February 11, 2021.

Also, the appointment of Rep. Poskin to replace Rep. Victors on Committee on Transportation on February 11, 2021.

#### **REPORT ON ENGROSSED BILLS**

**HB 2014**, **HB 2063**, **HB 2064**, **HB 2081** reported correctly engrossed February 10, 2021.

On motion of Rep. Hawkins the House adjourned pro forma until 8:30 a.m. on Friday, February 12, 2021.

# Journal of the House

TWENTY-FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, February 12, 2021, 8:30 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Finch in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2371**, AN ACT concerning children and minors; relating to eligibility for public benefits; removing cooperation with child support from eligibility requirements for food and child care assistance; exempting adults enrolled in school from the 20-hour-per-week work requirement; amending K.S.A. 2020 Supp. 39-709 and repealing the existing section, by Committee on Children and Seniors.

**HB 2372**, AN ACT concerning health and healthcare; relating to ground ambulance service providers; imposing a medicaid ambulance service provider assessment thereon; providing for powers, duties and functions of the department of health and environment related thereto, by Committee on Health and Human Services.

**HB 2373**, AN ACT concerning health and healthcare; relating to individuals with intellectual or developmental disability; requiring the Kansas department for aging and disability services to establish and implement a mobile crisis services program for such individuals, by Committee on Health and Human Services.

**HB 2374**, AN ACT concerning crimes, punishment and criminal procedure; relating to the certified drug abuse treatment program; authorizing the sentencing commission to determine risk levels for participation in program; amending K.S.A. 75-5291 and K.S.A. 2020 Supp. 21-6824 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2375**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against the public safety; adding items to the definitions of knife and weapon in the crime of criminal possession of a weapon by a convicted felon; amending K.S.A. 2020 Supp. 21-6304 and repealing the existing section, by Committee on Judiciary.

**HB 2376**, AN ACT concerning crimes, punishment and criminal procedure; relating to violation of a protective order; requiring law enforcement agencies to adopt a policy related to arrests and separation of the suspect from the scene; amending K.S.A. 2020 Supp. 22-2307 and repealing the existing section, by Committee on Judiciary.

**HB 2377**, AN ACT concerning driving; relating to driving under the influence; authorizing reinstatement of a driver's license for certain persons with an ignition interlock device restriction; removing the motorized bicycle license option for persons whose driving privileges are suspended for a DUI-related offense; allowing certain

persons disqualified from driving a commercial motor vehicle to have commercial driving privileges restored; modifying the criminal penalties for driving a commercial motor vehicle under the influence and driving under the influence, authorizing courts to waive certain fines and clarifying that amendment or dismissal of certain charges is permitted; allowing persons with suspended driving privileges to seek driving privileges restricted to driving only a motor vehicle equipped with an ignition interlock device earlier in the suspension period; requiring persons with an ignition interlock device restriction to complete the ignition interlock device program before driving privileges are fully reinstated; requiring the secretary of revenue to adopt certain rules and regulations related to ignition interlock devices; providing for reduced ignition interlock device program costs for certain persons; reducing the restricted driving privileges period for certain persons less than 21 years of age; clarifying that a city attorney or a county or district attorney shall not enter into a diversion agreement for certain traffic violations if the defendant is a commercial driver's license holder; amending K.S.A. 8-1016 and K.S.A. 2020 Supp. 8-235, 8-2,142, 8-2,144, 8-1015, 8-1567, 8-1567a, 12-4415 and 22-2908 and repealing the existing sections, by Committee on Judiciary.

**HB 2378**, AN ACT concerning retirement and pensions; enacting the Kansas work and save program act; providing for administrative powers, duties and responsibilities of the state treasurer regarding such program; allowing certain individuals to contribute to individual retirement accounts; establishing the Kansas work and save administrative fund in the state treasury, by Committee on Insurance and Pensions.

**HB 2379**, AN ACT concerning transportation; relating to peer-to-peer vehicle sharing; establishing insurance requirements; liability; recordkeeping requirements; consumer protection provisions; enacting the peer-to-peer vehicle sharing program act; amending K.S.A. 2020 Supp. 50-656 and repealing the existing section, by Committee on Insurance and Pensions.

**HB 2380**, AN ACT concerning the healthcare stabilization fund; relating to minimum professional liability insurance coverage requirements; changing membership of the board of governors; amending K.S.A. 2020 Supp. 40-3402, 40-3403, 40-3408 and 40-3424 and repealing the existing sections, by Committee on Insurance and Pensions.

**HB 2381**, AN ACT concerning energy; establishing the state energy plan task force; requiring the development of a comprehensive state energy plan, by Committee on Energy, Utilities and Telecommunications.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2370**.

Corrections and Juvenile Justice: **HB 2360**, **HB 2361**.

Elections: **HB 2355**.

Energy, Utilities and Telecommunications: **HB 2367**.

Insurance and Pensions: **HB 2368**.

Judiciary: **HB 2356**, **HB 2362**, **HB 2363**, **HB 2364**, **HB 2365**, **HB 2366**, **HB 2369**.

K-12 Education Budget: **HB 2359**.

Taxation: **HB 2357**, **HB 2358**.

**MESSAGES FROM THE SENATE**

Announcing passage of **SB 4, SB 56, SB 61, SB 68, and SB 69.**

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 4, SB 56, SB 61, SB 68, SB 69.**

On motion of Rep. Hawkins, the House recessed until 11:00 a.m.

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**LATE MORNING SESSION**

The House met pursuant to recess with Speaker pro tem Finch in the chair.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2382**, AN ACT making and concerning appropriations for the fiscal year ending June 30, 2022, for the Kansas department for aging and disability services and the department of education; relating to home and community-based services and the intellectual or developmental disability waiver; authorizing school districts to expend unencumbered cash balances, by Committee on Social Services Budget.

**HB 2383**, AN ACT concerning insurance; relating to the regulation of pharmacy benefits managers; providing for enhanced oversight thereof; requiring licensure rather than registration of such entities; amending K.S.A. 2020 Supp. 40-3821, 40-3822, 40-3823, 40-3824, 40-3825, 40-3826, 40-3827, 40-3829 and 40-3830 and repealing the existing sections, by Committee on Insurance and Pensions.

**HB 2384**, AN ACT concerning health and healthcare; relating to the department of health and environment; establishing the advisory committee on harm reduction; prescribing membership and duties thereof, by Committee on Health and Human Services.

**HB 2385**, AN ACT concerning pharmacists and pharmacy; relating to the state board of pharmacy; expanding the pharmacist's scope of practice to include point-of-care testing for and treatment of certain health conditions; amending K.S.A. 65-1626a and repealing the existing section, by Committee on Health and Human Services.

**HB 2386**, AN ACT concerning insurance; relating to dental benefits; dental benefit plans and related coverage; establishing requirements and restrictions for the payment and reimbursement of dental services thereby, by Committee on Health and Human Services.

**HB 2387**, AN ACT concerning aircraft; relating to operating an aircraft under the influence; prescribing criminal and administrative penalties; providing for testing of blood, breath, urine or other bodily substances and preliminary screening tests of breath or oral fluid; repealing K.S.A. 3-1001, 3-1002, 3-1003, 3-1004 and 3-1005, by Committee on Judiciary.

**HB 2388**, AN ACT concerning pharmacy and pharmacists; pertaining to the scope of practice thereof; requiring that health benefit plans cover certain professional services when performed by a licensed pharmacist, by Committee on Insurance and Pensions.

**HB 2389**, AN ACT concerning crimes, punishment and criminal procedure; authorizing a notice to appear for unlawful possession of marijuana to be deemed a complaint in the Kansas code of criminal procedure; amending K.S.A. 2020 Supp. 22-2202 and repealing the existing section, by Committee on Judiciary.

**HB 2390**, AN ACT concerning public records; relating to disclosure thereof under the open records act; making permanent certain exceptions to disclosure; amending K.S.A. 75-5664 and 75-5665 and K.S.A. 2020 Supp. 9-513c, 9-2209, 12-5374, 16-335, 17-1312e, 25-2309, 40-2,118, 40-4913, 45-229 and 45-254 and repealing the existing sections, by Committee on Judiciary.

**HB 2391**, AN ACT concerning business entities; providing for biannual filing of business reports; changing business filing provisions and requirements related to business names and electronic signatures; removing certain exemptions from the open records act for certain business tax records no longer required to be filed; UCC filings with improperly included social security numbers; other filing or information requirements; filing fees; repealing certain obsolete statutes including relating to blanket music licenses; amending K.S.A. 17-1513, 17-1618, 17-2037, 17-2711, 17-4677, 17-5902, 17-7509, 17-7511, 53-601, 56-1a151, 56-1a605, 56a-101, 75-446 and 75-3520 and K.S.A. 2020 Supp. 17-2036, 17-2718, 17-4634, 17-6014, 17-6014, as amended by section 10 of this act, 17-7002, 17-7503, 17-7504, 17-7505, 17-7506, 17-7510, 17-7512, 17-76,136, 17-76,139, 17-76,147, 17-78-601, 17-7903, 17-7904, 17-7905, 17-7906, 17-7910, 17-7910, as amended by section 29 of this act, 17-7936, 45-229, 56-1a606, 56-1a607, 56a-1001, 56a-1201 and 56a-1202 and repealing the existing sections; also repealing K.S.A. 17-7507, 57-205, 57-206, 57-207 and 75-447, by Committee on Commerce, Labor and Economic Development.

## REPORTS OF STANDING COMMITTEES

Committee on **Judiciary** recommends **HB 2098** be passed.

Committee on **Judiciary** recommends **HB 2076** be amended on page 1, in line 8, after the period by inserting "(a)"; following line 19, by inserting:

"(b) As used in this section, "custodial officer of the court" means the sheriff or the keeper of the jail in the county.";

Also on page 1, in the title, in line 3, after the semicolon by inserting "adding a definition of custodial officer of the court;"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2125** be amended on page 1, in line 12, after "(b)" by inserting "(1)"; also in line 12, by striking "(1)" and inserting "(A)"; in line 13, by striking "(2)" and inserting "(B)"; in line 16, by striking "(3)" and inserting "(C)"; in line 17, by striking "(4)" and inserting "(D)"; in line 19, by striking "(5)" and inserting "(E)"; following line 20, by inserting:

"(2) An affidavit filed pursuant to this section on or after July 1, 2021, shall state whether the original will or a copy of such will is being filed with the court."; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2127** be amended on page 4, in line 27, after "such" by inserting "child"; also in line 27, after "fatality" by inserting "involving an allegation of child abuse or neglect"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2152** be amended on page 1, in line 22, by striking all after "owner"; by striking all in lines 23 and 24; in line 25, by striking all before "and"; in line 29, after "When" by inserting "the transfer-on-death deed was not made contingent on such grantee beneficiary surviving the record owner and";

On page 2, in line 5, by striking "2014" and inserting "2021"; and the bill be passed as amended.

Committee on **K-12 Education Budget** recommends **HB 2119** be amended on page 2, in line 6, after "(1)" by inserting "Is enrolled in any school of a school district and"; in line 18, by striking "either"; in line 19, by striking "or immediately preceding"; in line 20, by striking "180" and inserting "240"; also in line 20, by striking "one" and inserting "the current"; in line 21, by striking "or"; following line 21, by inserting:

"(B) after January 1, 2021, of the 2020-2021 school year, through remote learning for a period of 120 consecutive school term hours;";

Also on page 2, in line 22, by striking "(B)" and inserting "(C)"; in line 23, by striking "or immediately preceding"; in line 24, by striking "one"; following line 24, by inserting:

"(D) after January 1, 2021, of the 2020-2021 school year, through a hybrid model of instruction for a period of 240 total school term hours; or";

On page 3, in line 1, after "(h)" by inserting "(1)"; in line 2, by striking all after "school"; by striking all in line 3; in line 4, by striking all before "that"; in line 5, by striking "(1)" and inserting "(A)"; in line 7, by striking "(2)" and inserting "(B)"; following line 8, by inserting:

"(2) "Qualified private school" does not mean any nonaccredited private home school or home school organization, community, consortium or group.";

On page 6, in line 23, by striking "develop" and inserting "contract with a third party pursuant to competitive bids for"; by striking all in lines 27 and 28;

On page 7, in line 34, by striking "contracted services from a school district, including individual"; in line 35, by striking "classes" and inserting "services, programs, activities, classes or any other resources or programs provided or contracted by a school district";

On page 11, following line 9, by inserting:

"Sec. 19. K.S.A. 72-5151 is hereby amended to read as follows: 72-5151. (a) The at-risk student weighting of each school district shall be determined by the state board as follows:

(1) Determine the number of at-risk students included in the enrollment of the school district; and

(2) multiply the number determined under subsection (a)(1) by 0.484. The resulting sum is the at-risk student weighting of the school district.

~~(b) Except as provided in subsection (b)(4), the high density at-risk student weighting of each school district shall be determined by the state board as follows:~~

~~(1) (A) If the enrollment of the school district is at least 35% at-risk students, but less than 50% at-risk students:~~

~~(i) Subtract 35% from the percentage of at-risk students included in the enrollment of the school district;~~

~~(ii) multiply the difference determined under subsection (b)(1)(A)(i) by 0.7; and~~

~~(iii) multiply the product determined under subsection (b)(1)(A)(ii) by the number of at-risk students included in the enrollment of the school district; or~~

~~(B) if the enrollment of the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of the school district by 0.105; or~~

~~(2) (A) if the enrollment of a school in the school district is at least 35% at-risk students, but less than 50% at-risk students:~~

~~(i) Subtract 35% from the percentage of at-risk students included in the enrollment of such school;~~

~~(ii) multiply the difference determined under subsection (b)(2)(A)(i) by 0.7; and~~

~~(iii) multiply the product determined under subsection (b)(2)(A)(ii) by the number of at-risk students included in the enrollment of such school; or~~

~~(B) if the enrollment of a school in the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of such school by 0.105; and~~

~~(C) add the products determined under subsections (b)(2)(A)(iii) and (b)(2)(B) for each such school in the school district, respectively.~~

~~(3) The high density at-risk weighting of the school district shall be the greater of the product determined under subsection (b)(1) or the sum determined under subsection (b)(2)(C).~~

~~(4) Commencing in school year 2018-2019, school districts that qualify to receive the high density at-risk weighting pursuant to this section shall spend any money attributable to the school district's high density at-risk weighting on the at-risk best practices developed by the state board pursuant to K.S.A. 72-5153(d), and amendments thereto. If a school district that qualifies for the high density at-risk weighting does not spend such money on such best practices, the state board shall notify the school district that it shall either spend such money on such best practices or shall show improvement within five years of notification. Improvement shall include, but not be limited to, the following: (A) The percentage of students at grade level on state math and English language arts assessments; (B) the percentage of students that are college and career ready on state math and English language arts assessments; (C) the average composite ACT score; or (D) the four year graduation rate. If a school district does not spend such money on such best practices and does not show improvement within five years, the school district shall not qualify to receive the high density at-risk weighting in the succeeding school year.~~

~~(5) The provisions of this subsection shall expire on July 1, 2020.~~

~~(b) On and after July 1, 2021, except as provided in subsection (b)(4), the high-density at-risk student weighting of each school district shall be determined by the state board as follows:~~

~~(1) (A) If the enrollment of the school district is at least 35% at-risk students, but less than 50% at-risk students:~~

~~(i) Subtract 35% from the percentage of at-risk students included in the enrollment of the school district;~~

~~(ii) multiply the difference determined under subsection (b)(1)(A)(i) by 0.7; and~~

~~(iii) multiply the product determined under subsection (b)(1)(A)(ii) by the number of at-risk students included in the enrollment of the school district; or~~

~~(B) if the enrollment of the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of the school district by 0.105; or~~

(2) (A) if the enrollment of a school in the school district is at least 35% at-risk students, but less than 50% at-risk students:

(i) Subtract 35% from the percentage of at-risk students included in the enrollment of such school;

(ii) multiply the difference determined under subsection (b)(2)(A)(i) by 0.7; and

(iii) multiply the product determined under subsection (b)(2)(A)(ii) by the number of at-risk students included in the enrollment of such school; or

(B) if the enrollment of a school in the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of such school by 0.105; and

(C) add the products determined under subsections (b)(2)(A)(iii) and (b)(2)(B) for each such school in the school district, respectively.

(3) The high-density at-risk weighting of the school district shall be the greater of the product determined under subsection (b)(1) or the sum determined under subsection (b)(2)(C).

(4) School districts that qualify to receive the high-density at-risk weighting pursuant to this section shall spend any money attributable to the school district's high-density at-risk weighting on the at-risk best practices developed by the state board pursuant to K.S.A. 72-5153(d), and amendments thereto. If a school district that qualifies for the high-density at-risk weighting does not spend such money on such best practices, the state board shall notify the school district that it shall either spend such money on such best practices or shall show improvement within five years of notification. Improvement shall include, but not be limited to, the following: (A) The percentage of students at grade level on state math and English language arts assessments; (B) the percentage of students that are college and career ready on state math and English language arts assessments; (C) the average composite ACT score; or (D) the four-year graduation rate. If a school district does not spend such money on such best practices and does not show improvement within five years, the school district shall not qualify to receive the high-density at-risk weighting in the succeeding school year.

(5) The provisions of this subsection shall expire on July 1, 2022. "

On page 19, in line 42, after "72-5134" by inserting ", 72-5151";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "72-5134" by inserting ", 72-5151"; and the bill be passed as amended.

## **REPORT ON ENGROSSED BILLS**

**HB 2001, HB 2121, HB 2165** reported correctly engrossed February 11, 2021.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Monday, February 15, 2021.

# Journal of the House

TWENTY-FIFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, February 15, 2021, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Ryckman in the chair.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Children and Seniors: **HB 2371**.

Commerce, Labor and Economic Development: **HB 2391**.

Corrections and Juvenile Justice: **HB 2374**.

Energy, Utilities and Telecommunications: **HB 2381**.

Health and Human Services: **HB 2372, HB 2373, HB 2384, HB 2385, HB 2386**.

Insurance and Pensions: **HB 2378, HB 2380, HB 2383, HB 2388**.

Judiciary: **HB 2375, HB 2376, HB 2377, HB 2387, HB 2389, HB 2390, SB 4, SB 56**.

K-12 Education Budget: **SB 61**.

Social Services Budget: **HB 2382**.

Transportation: **HB 2379, SB 68, SB 69**.

## CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2162** from Calendar and re-referral to Committee on Elections.

## REPORTS OF STANDING COMMITTEES

The Committee on **Elections** recommends **HB 2183** be amended on page 1, by striking all in line 18;

And by renumbering sections accordingly;

Also on page 1, in the title, in line 4, by striking the semicolon; in line 5, by striking all before the period; and the bill be passed as amended.

Committee on **Taxation** recommends **SB 13**, as amended by Senate Committee, be amended on page 1, in line 21, after "(1)" by inserting "At least 10 days in advance of the public hearing,"; in line 22, after "rate" by inserting "by publishing notice: (A)"; in line 23, by striking all after "website"; in line 24, by striking all before the period and inserting "; and

(B) in a weekly or daily newspaper of the county having a general circulation therein"; in line 30, before the first "The" by inserting "For all tax years commencing after December 31, 2021,";

On page 2, in line 6, by striking "postage" and inserting "mailing needed"; in line 7, by striking "equally" and inserting "proportionally"; in line 8, after "subdivisions" by inserting "based on the total property tax levied by each jurisdiction"; in line 42, by striking "on or before" and inserting "not sooner than August 10 and not later than";

On page 3, in line 23, after "districts" by inserting "or municipal universities"; in line 25, after "district" by inserting "and municipal university"; in line 28, after "district" by inserting "and municipal university"; in line 30, after "districts" by inserting "or municipal universities"; in line 38, by striking all after "means"; in line 39, by striking all before the period and inserting "any of the following that levy an ad valorem tax on property:

(A) A city;

(B) a county; or

(C) any other political subdivision of the state, if such other political subdivision receives \$100,000 or more in revenue from property taxes in the current year";

On page 8, following line 29, by inserting:

"Sec. 6. K.S.A. 79-2929 is hereby amended to read as follows: 79-2929. Prior to the filing of the adopted budget with the county clerk, the governing body of each taxing or political subdivision or municipality shall meet for the purpose of answering and hearing objections of taxpayers relating to the proposed budget and for the purpose of considering amendments to such proposed budget. The governing body shall give at least 10 days' notice of the time and place of the meeting by publication in a weekly or daily newspaper of the county having a general circulation therein. Such notice shall include the proposed budget and shall set out all essential items in the budget except such groupings as designated by the director of accounts and reports on a special publication form prescribed by the director of accounts and reports and furnished with the regular budget form. Such form shall also include the revenue neutral rate as provided in section 1, and amendments thereto. The notice of a governing body of any taxing subdivision or municipality having an annual expenditure of \$500 or less shall specify the time and place of the meeting required by this section but shall not be required to include the proposed budget of such taxing subdivision or municipality.";

Also on page 8, in line 30, after "79-2024" by striking "and" and inserting ", 79-2925b,"; also in line 30, after "79-2925c" by inserting "and 79-2929";

And by renumbering sections accordingly;

On page 1, in the title, in line 7, after the semicolon by inserting "requiring the director of accounts and reports to include revenue neutral rate on regular budget form; eliminating certain requirements for budget approval for select taxing subdivisions"; in line 8, by striking the first "and" and inserting a comma; also in line 8, after "79-2925c" by inserting "and 79-2929"; also in line 8, after "sections" by inserting "; also repealing K.S.A. 79-2925b"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2166** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2166," as follows:

"Substitute for HOUSE BILL NO. 2166

By Committee on Transportation

"AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Braden's hope for childhood cancer, proud educator and alpha kappa alpha distinctive license plates; providing distinctive license plates for current and veteran members of the United States army, navy, marine corps, air force, coast guard and space force; modifying requirements to begin production on distinctive license plates; amending K.S.A. 2020 Supp. 8-1,141, 8-1,142 and 8-1,147 and repealing the existing sections.

And the substitute bill be passed.

(**Sub HB 2166** was thereupon introduced and read by title.)

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Tuesday, February 16, 2021.

# Journal of the House

TWENTY-SIXTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, February 16, 2021, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Finch in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill and concurrent resolution were introduced and read by title:

**HB 2392**, AN ACT concerning wildlife; relating to lifetime hunting, fishing and furharvester licenses; providing Kansas air or army national guard veterans a lifetime license; amending K.S.A. 2020 Supp. 32-930 and repealing the existing section, by Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION No. **HCR 5013**—  
By Committee on Federal and State Affairs

A CONCURRENT RESOLUTION urging the United States Congress to propose the "Keep Nine" amendment to the United States Constitution.

WHEREAS, An independent United States Supreme Court is an essential element of America's system of checks and balances that protects our constitutional rights; and

WHEREAS, The United States Supreme Court has been composed of nine justices for more than 150 years; and

WHEREAS, The President and Congress should be prohibited from undermining the independence of the Supreme Court by changing the number of justices on the Court: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the State of Kansas urges Congress to propose the "Keep Nine" amendment to the United States Constitution that states: "The Supreme Court of the United States shall be composed of nine justices"; and

*Be it further resolved:* That the Secretary of State shall send an enrolled copy of this resolution to each member of the Kansas Congressional delegation, the Speaker of the United States House of Representatives, the Majority Leader of the United States Senate and the leader of each legislative chamber for the other 49 states.

**COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Finch announced the appointment of Rep. Woodard to replace Rep. Parker on Committee on Appropriations on February 17, 2021.

Also, the appointment of Rep. Parker to replace Rep. Woodard on Committee on Federal and State Affairs on February 17, 2021.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Wednesday, February 17, 2021.

# Journal of the House

TWENTY-SEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, February 17, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 121 members present.

Rep. Howard was excused on verified illness.

Reps. Bishop, Victors and Winn were excused on excused absence by the Speaker.

Prayer by Rep. Helgerson:

Today is Ash Wednesday, the First Day of Lent.

Traditionally, it is a day of fasting and prayer.

A time when ashes are placed on the foreheads of Catholics  
and Christians as a reminder of our future death.

And this year we have all been facing even more death  
in our families, friends, and constituents.

Every day, death stalks the halls of this building.

But there is also rebirth.

A new life for us all.

We must embrace that future and become better individuals  
with more love and more forgiveness.

May God Bless all of us and the State of Kansas.

Amen

The Pledge of Allegiance was led by Rep. Adam Smith.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2393**, AN ACT concerning workers compensation; relating to post-traumatic stress disorder suffered by first responders; amending K.S.A. 2020 Supp. 44-508 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2394**, AN ACT concerning the research and development tax credit; relating to the amount of the credit; expanding eligibility beyond taxpayers subject to the corporate income tax; transferability; amending K.S.A. 79-32,182b and repealing the existing section, by Committee on Taxation.

**HB 2395**, AN ACT concerning taxation; relating to sales and compensating use taxes, transient guest taxes and prepaid wireless 911 fees; requiring collection and

remittance by marketplace facilitators; providing nexus for certain retailers; amending K.S.A. 79-3702 and repealing the existing section, by Committee on Taxation.

**HB 2396**, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2021, June 30, 2022, June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, June 30, 2028, June 30, 2029, June 30, 2030, June 30, 2031, and June 30, 2032, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 75-4209 and K.S.A. 2020 Supp. 2-223 and repealing the existing sections, by Committee on Appropriations.

**HB 2397**, AN ACT making and concerning appropriations for fiscal years ending June 30, 2022, June 30, 2023, and June 30, 2024, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 75-6702 and 75-6706 and K.S.A. 2020 Supp. 2-223, 12-1775a, 12-5256, 55-193, 72-5462, 74-50,107, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections, by Committee on Appropriations.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill and concurrent resolution were referred to committees as indicated:

Agriculture: **HB 2392**.

Federal and State Affairs: **HCR 5013**.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. S. Johnson in the chair.

## COMMITTEE OF THE WHOLE

On motion of Rep. S. Johnson, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2178**, **HB 2187**, **HB 2070**, **HB 2158**, **HB 2096**, **HB 2007** be passed.

Committee report to **HB 2087** be adopted; and the bill be passed as amended.

Committee report to **HB 2115** be adopted.

Also, on motion of Rep. Concannon, **HB 2115** be amended as amended by House Committee, on page 2, in line 18, after "members" by inserting "of" and the bill be passed as amended.

Committee report to **HB 2172** be adopted.

Also, on motion of Rep. Highland, **HB 2172** be amended as amended by House Committee, on page 3, in line 5, after "or" by inserting "an"; also in line 5, by striking "use"; also in line 5, after "groundwater" by inserting "use control" and the bill be passed as amended.

Committee report to **HB 2076** be adopted; and the bill be passed as amended.

Committee report to **HB 2104** be adopted; and the bill be passed as amended.

### REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Rural Development** recommends **HB 2237** be passed.

Committee on **Health and Human Services** recommends **HB 2261**, **HB 2262** be passed.

Committee on **Health and Human Services** recommends **HB 2254** be amended on page 1, in line 23, before "and" by inserting "as to the retail price of a casket, urn and outside burial container and as to the first \$10,000 of funds paid";

Also on page 1, in the title, in line 2, by striking "removing" and inserting "increasing"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2175** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2398**, AN ACT concerning financial institutions; enacting the technology-enabled trust bank act; relating to requirements, fiduciary powers, duties, functions and limitations for trust banks; trust bank pilot program; prescribing administrative powers and duties for the state banking board and the state bank commissioner; establishing the technology-enabled trust bank development and expansion fund; providing an income and privilege tax credit for trust banks making certain qualified charitable distributions, by Committee on Appropriations.

**HB 2399**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; amortizing a certain portion of the unfunded actuarial liability of the system for a period of 24 years; eliminating certain level-dollar employer contribution payments; establishing procedures for lapsing and decreasing certain amounts of employer contributions for state agencies for the fiscal year ending June 30, 2022; amending K.S.A. 74-4920 and repealing the existing section, by Committee on Appropriations.

**HB 2400**, AN ACT enacting the massage therapist licensure act; concerning regulation and licensing of massage therapists; powers, duties and functions of the state board of healing arts, by Committee on Federal and State Affairs.

### COMMITTEE ASSIGNMENT CHANGES

Speaker Rykman announced the appointment of Rep. Hawkins to replace Rep. Howard on Committee on Agriculture and Natural Resources Budget and Committee on Social Services Budget February 17, 2021.

Also, the appointment of Rep. Woodard to replace Rep. Bishop on Committee on Health and Human Services on February 17, 2021.

Also, the appointment of Rep. Hoyer to replace Rep. Bishop on Committee on Insurance and Pensions on February 17, 2021.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Thursday, February 18, 2021.

# Journal of the House

## TWENTY-EIGHTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, February 18, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 122 members present.

Rep. Bishop was excused on verified illness.

Reps. Baker and Howard were excused on excused absence by the Speaker.

Excused later: Rep. L. Ruiz.

Prayer by Rep. Steven Johnson,

Gracious God,

We have so much for which to be thankful. We are thankful to be here. We are thankful to be a part of Your kingdom.

May we continually pray: Thy kingdom come...not some kingdom of our making;

Thy will...not my will...be done.

We are reminded in so many ways that our power is insufficient. Help us remember Your grace is sufficient. Help us to receive Your grace and to give grace to one another.

Today, we pray especially for our sister Eunice that your healing hand is upon her in Houston as well as at home. We pray for the Estes family as they grieve, and for safe travel for all who go to share with them in mourning and in celebrating a life well lived.

In our journey together to the stars, we can only make it with Your great love and guidance. When hate, envy or deceit wells within or around us, help us to instead reflect Your love, understanding and truth.

Amen.

The Pledge of Allegiance was led by Rep. Wheeler.

### INTRODUCTION OF GUESTS

There being no objection the following remarks of Rep. Jennings are spread upon the Journal:

Rep. Jennings was joined at the well by members of former Rep. Leonard Mastroni's family.

I rise today to honor the memory of our colleague and friend, Representative Leonard Mastroni. The priorities of our life demonstrate who we are. Leonard was defined by his: Faith, Family and Friends. Leonard enjoyed a deeply personal relationship and unyielding faith in his God. He was always devoted to his family in both the good and difficult times and he was a true and faithful friend.

Leonard committed his life to public service. His career of service included serving as a police officer with the Denver, Colorado Police Department, Special Agent in Charge of the Central Kansas Drug Task Force, District Magistrate Judge in Rush County of the 23<sup>rd</sup> Judicial District, Rush County Commissioner and as State Representative for the 117<sup>th</sup> House District.

Leonard and his wife of 51 years, Linda, were blessed with four children, Shawn, Shelia, Sarah and James and three grandchildren, Mark, Amanda and Sutton. Leonard and Linda experienced the greatest fear of any parent when they lost two of their four children, Shawn and Sheila. Leonard's faith never wavered. He never asked the question: Why me? He placed his faith in God and accepted that God's will be done here on earth.

Representative Mastroni was an advocate for his district. He was a champion for the mental health and corrections programs located on the Larned campus. Leonard understood that mental health was a serious and expanding need for our state and he honored the service of the people who served this population in need of help.

The passing of Leonard on September 30, 2020 was honored by the Governor through her order directing that flags be flown at half-staff until the day of his funeral on October 6, 2020. This was a fitting and most deserved public recognition of his dedicated service to the people of Kansas.

Rep. Jennings was joined by Reps. Wheeler and Schreiber, former office mates of Rep. Mastroni. Rep. Wheeler presented the Mastroni family with framed photos and pins in memory of Rep. Mastroni. Rep. Schreiber presented the family with the framed flag that flew at half staff over the capitol in honor of Rep. Mastroni.

## **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2401**, AN ACT concerning the department of corrections; authorizing the secretary of corrections to enter agreements for public-private partnerships for projects for new or renovated buildings at correctional institutions for education, skills-building and spiritual needs programs; establishing a nonprofit corporation to receive gifts, donations, grants and other moneys and engage in fundraising projects for funding such projects; amending K.S.A. 75-3739 and repealing the existing section, by Committee on Appropriations.

**HB 2402**, AN ACT concerning property taxation; relating to valuation of property; excluding hypothetical leased fee in the determination of fair market value; amending K.S.A. 79-503a and repealing the existing section, by Committee on Appropriations.

**HB 2403**, AN ACT concerning sexually oriented businesses; crimes, punishment and criminal procedure; prohibiting certain acts; creating criminal penalties for violations; establishing the community defense act; amending K.S.A. 2020 Supp. 22-3901 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2404**, AN ACT concerning the Kansas public employees retirement system; relating to death and long-term disability benefits; providing a moratorium on employer contributions to the group insurance reserve fund; amending K.S.A. 74-4927 and repealing the existing section, by Committee on Appropriations.

#### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Appropriations: **HB 2396**, **HB 2397**.

Commerce, Labor and Economic Development: **HB 2393**.

Financial Institutions and Rural Development: **HB 2398**.

Health and Human Services: **HB 2400**.

Insurance and Pensions: **HB 2399**.

Taxation: **HB 2394**, **HB 2395**.

#### **MESSAGES FROM THE SENATE**

Announcing passage of **SB 67**, **SB 118**.

#### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 67**, **SB 118**.

#### **FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2007**, AN ACT concerning motor carriers; relating to the state corporation commission's regulation of motor carriers; updating and eliminating certain procedures for certificates of convenience and necessity and certificates of public service; revising certain laws to conform to federal regulation; amending K.S.A. 66-1,105, 66-1,108, 66-1,110, 66-1,111, 66-1,112, 66-1,112g, 66-1,112j, 66-1,114, 66-1,114b, 66-1,116, 66-1,119 and 66-1,141 and repealing the existing sections; also repealing K.S.A. 66-1,118, 66-1,119a, 66-1,140 and 66-1,142d, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.  
Absent or not voting: Baker, Bishop, Howard.  
The bill passed.

**HB 2070**, AN ACT concerning postsecondary education; relating to certain private postsecondary educational institutions; acceptable methods of payment, credit card surcharges; amending K.S.A. 75-30,100 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 3; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Carmichael, Delperdang, Miller.  
Present but not voting: None.  
Absent or not voting: Baker, Bishop, Howard.  
The bill passed.

**HB 2076**, AN ACT concerning criminal procedure; relating to sureties; surrender of obligor by surety; release of surety; requiring delivery to county where the complaint subject to the bond was filed; adding a definition of custodial officer of the court; amending K.S.A. 22-2809 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffmann, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner,

Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Baker, Bishop, Howard.

The bill passed, as amended.

**HB 2087**, AN ACT concerning administrative rules and regulations; relating to review by the director of the budget; amending K.S.A. 77-416, 77-420, 77-420a, 77-421 and 77-422 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 109; Nays 13; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Miller, Minnix, Moser, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thompson, Toplikar, Turner, Vaughn, Victors, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Blex, Burris, Delperdang, Fairchild, Garber, Helmer, Jacobs, Lee-Hahn, Mason, Murphy, Rhiley, Thomas, Waggoner.

Present but not voting: None.

Absent or not voting: Baker, Bishop, Howard.

The bill passed, as amended.

#### EXPLANATION OF VOTE

MR. SPEAKER: We vote No on **HB 2087**. We appreciate the procedural cleanup this bill represents in fixing problems with the 2018 statute of **HB 2280**. Regulatory reform is a big issue. Over-regulation hurts business and it hurts consumers. The problem with **HB 2087** is that the \$3m threshold takes the numbers of regulations scrutinized from over 1,040 to only about 11. It is a 99% drop in regulations that can be challenged. We genuinely appreciate the work that went into this bill but truly believe a \$1 million threshold better serves the public interest. — PAUL WAGGONER, BILL RHILEY, RANDY GARBER, TREVOR JACOBS, TATUM LEE-HAHN

**HB 2096**, AN ACT concerning the Kansas open records act; relating to exceptions to disclosure; public websites that identify home addresses or home ownership; restricting access to identifying information of employees of the department of corrections, local correctional officers or local detention officers, employees of the judicial branch, employees of a municipal court and administrative hearing officers; amending K.S.A. 2020 Supp. 45-221 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgeson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Baker, Bishop, Howard.

The bill passed.

**HB 2104**, AN ACT concerning sales taxation; relating to exemptions; modifying the exemption for construction materials for educational institutions; amending K.S.A. 79-3606 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 114; Nays 8; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgeson, Helmer, Henderson, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Newland, Ohaebosim, Orr, Ousley, Owens, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Carlin, Carmichael, Garber, Highberger, Kuether, Neighbor, Parker, Turner.

Present but not voting: None.

Absent or not voting: Baker, Bishop, Howard.

The bill passed, as amended.

## EXPLANATIONS OF VOTE

MR. SPEAKER, I voted YES today on **HB 2104**. I am fully supportive of the Cerebral Palsy Research Foundation and their mission to upgrade their Timbers apartments for their client and save money by not paying sales tax on building materials. I disagree that the State would continue to add exemptions to paying State Sales Tax without taking away an exemption from another entity. It will get to a point that we will have limited State General Funds. They should (if not already) get a tax break on their property and income taxes. – BILL RHILEY, PAUL WAGGONER

MR. SPEAKER: While the exemption in **HB 2104** is for a worthy cause I cannot support it. In 2019 sales sales and tax exemptions totaled 7.8 billion dollars. That same year the State of Kansas had sales tax revenue of 2.5 billion dollars. We continue to erode our sales tax base for the benefit of some while passing the burden of funding our ever-growing government to the others. I long for the day when we have a fair tax system for every Kansas Taxpayer. Mr. Speaker, I vote “NO” on **HB 2104**. – RANDY GARBER, JOHN CARMICHAEL

**HB 2115**, AN ACT concerning the legislature; relating to children and minors; the safety and well-being of children in the child welfare system in the state of Kansas; establishing the joint committee on child welfare system oversight; prescribing duties and membership thereof; requiring an annual report to the legislature, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 4; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burris, Fairchild, Helmer, Rhiley.

Present but not voting: None.

Absent or not voting: Baker, Bishop, Howard.

The bill passed, as amended.

## EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **HB 2115**. I believe that the foster care system in our state has serious problems and needs to be reformed, and I support creating an office of child advocate to reform our foster care system. However, I think that creating this sub committee is an example of unnecessary government bureaucracy and is an inefficient use of taxpayer money. All the different issues that this sub committee will be studying could just as easily be studied by the current Children and Seniors Committee during the legislative session. — BRETT FAIRCHILD, BILL RHILEY

MR. SPEAKER: I vote “Yes” on **HB 2115**. However, I do not believe more government is the answer to the broken state of Kansas families. Yes, we do need hearings, open-door policies, and strict government accountability with oversight for all government agencies. Still importantly we need better educational teaching in societal living, family living, personal accountability and personal responsibility with respect according to the Word of God. Without exercising moral traditional values Kansas will continue to look to government and not God and common sense for individual freedom, answers, and solutions. — TREVOR JACOBS, RANDY GARBER, TATUM LEE-HAHN

**HB 2158**, AN ACT concerning public health; relating to the department of health and environment, division of public health; powers, duties and functions of the advisory committee on trauma and the statewide trauma system regional council; continuing in existence the authority to conduct closed session meetings and keep records privileged; amending K.S.A. 75-5664 and 75-5665 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Sutton.

Present but not voting: None.

Absent or not voting: Baker, Bishop, Howard.

The bill passed.

**HB 2172**, AN ACT concerning water; relating to the division of water resources of the department of agriculture; modifying multi-year flex accounts, base average usage calculation and fees; permitting alternative base average usage calculation and prorated terms; amending K.S.A. 82a-736 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Baker, Bishop, Howard.

The bill passed, as amended.

**HB 2178**, AN ACT concerning cities; relating to the vacation of certain blocks in the original town plat in the city of Americus, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Carmichael.

Present but not voting: None.

Absent or not voting: Baker, Bishop, Howard.

The bill passed.

**HB 2187**, AN ACT establishing the first-time home buyer savings account act; relating to financial institutions; providing for addition and subtraction modifications for contributions to first-time home buyer savings accounts under the Kansas income tax act; amending K.S.A. 79-32,117 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 3; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Helgerson, Kuether, Ousley.

Present but not voting: None.

Absent or not voting: Baker, Bishop, Howard.

The bill passed.

#### EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **HB 2187**, as the way the bill is currently drafted, it allows any individual of any income to create an account to designate a beneficiary in a manner that allows the transfer of funds tax free. Research has shown that this type of tax incentive does not benefit those who struggle to save to purchase a home, nor will it increase affordable housing stock, but rather provides tax free intergenerational wealth transfers. In Kansas this could cost the state general fund approximately \$3 million a year, with no increased housing access for those who are lower income.— JARROD OUSLEY

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Humphries in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Humphries, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2124**, **HB 2155**, **HB 2151** be passed.

Committee report to **HB 2114** be adopted.

Also, on motion of Rep. Concannon, **HB 2114** be amended as amended by House Committee, on page 3, in line 21, by striking "January 13, 2022," and inserting "the beginning of the 2022 regular session of the legislature"; in line 22, by striking

"January 11, 2023" and inserting "the beginning of the 2023 regular session of the legislature" and the bill be passed as amended.

Committee report to **HB 2125** be adopted; and the bill be passed as amended.

### INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hawkins pursuant to House Rule 2311, **HB 2114**, **HB 2124**, **HB 2125**, **HB 2151** and **HB 2155** were advanced to Final Action on Bills and Concurrent Resolutions.

### FINAL ACTION

**HB 2114**, AN ACT concerning the legislature; establishing the Kansas senior care task force; prescribing topics of study; membership; meeting requirements; records; report, was considered on final action.

On roll call, the vote was: Yeas 113; Nays 8; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delpardang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burris, Fairchild, Garber, Helgeson, Jacobs, Lee-Hahn, Murphy, Rhiley.

Present but not voting: None.

Absent or not voting: Baker, Bishop, Howard, Ruiz, L..

The bill passed, as amended.

### EXPLANATION OF VOTE

MR. SPEAKER, We voted NO today on **HB 2114**. We are fully supportive of getting updated information on Alzheimer's, dementia, and other age-related mental health conditions. It is also important to review safeguards to medication given in adult care homes. We do have agencies to oversee the daycare business.

Regardless that this task force has a sunset, these task forces seem to continue and continue. This work should be done as a subcommittee during the time frame of the session so there is no additional expense to taxpayers for per diems, staff time, research and revisor staff time. Also we would recommend nonprofit senior organizations such as AMAC. — BRETT FAIRCHILD, BILL RHILEY

**HB 2124**, AN ACT concerning the healing arts; relating to healing arts schools; professional services performed thereby; authorization thereof; amending K.S.A. 2020 Supp. 17-2707, 17-7668 and 65-2877a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Baker, Bishop, Howard, Ruiz, L..

The bill passed.

**HB 2155**, AN ACT concerning the department of health and environment; relating to water and soil pollutants; spill program; penalties; amending K.S.A. 65-171v and repealing the existing section; also repealing K.S.A. 65-171w, was considered on final action.

On roll call, the vote was: Yeas 85; Nays 36; Present but not voting: 0; Absent or not voting: 4.

Yeas: Anderson, Arnberger, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Borjon, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Francis, French, Hawkins, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Wolfe Moore, Woodard.

Nays: Alcalá, Amyx, Ballard, Burris, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Finney, Garber, Gartner, Haswood, Helgerson, Helmer, Henderson, Highberger, Jacobs, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Rhiley, Ruiz, S., Stogsdill, Vaughn, Victors, Weigel, Winn, Xu.

Present but not voting: None.

Absent or not voting: Baker, Bishop, Howard, Ruiz, L..

The bill passed.

**HB 2151**, AN ACT concerning the attorney general; relating to elder and dependent adult abuse; creating a Kansas elder and dependent adult abuse multidisciplinary team coordinator and elder and dependent adult abuse multidisciplinary teams; prescribing membership; duties and powers; meeting requirements; providing for confidentiality of records; open meeting exemption; report to the legislature; requiring the abuse, neglect and exploitation of persons unit of the attorney general to assist in multidisciplinary team investigations; amending K.S.A. 75-723 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Baker, Bishop, Howard, Ruiz, L..

The bill passed.

**HB 2125**, AN ACT concerning the probate code; relating to wills; allowing a will or a copy of a will filed within six months after the death of the testator to be admitted to probate at any time; amending K.S.A. 2020 Supp. 59-618a and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 3; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner,

Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Eplee, Helmer, Kelly.

Present but not voting: None.

Absent or not voting: Baker, Bishop, Howard, Ruiz, L..

The bill passed, as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 27** be passed.

Committee on **Agriculture** recommends **HB 2244** be amended on page 5, in line 27, after "any" by inserting "criminal history"; also on line 27, by striking "received by"; in line 28 by striking "the hemp processor"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2191** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2144** be amended on page 1, following line 7, by inserting:

"Section 1. K.S.A. 2020 Supp. 21-6813 is hereby amended to read as follows: 21-6813. (a) The court shall order the preparation of the presentence investigation report by the court services officer as soon as possible after conviction of the defendant.

(b) Each presentence investigation report prepared for an offender to be sentenced for one or more felonies committed on or after July 1, 1993, shall be limited to the following information:

- (1) A summary of the factual circumstances of the crime or crimes of conviction.
- (2) If the defendant desires to do so, a summary of the defendant's version of the crime.
- (3) When there is an identifiable victim, a victim report. The person preparing the victim report shall submit the report to the victim and request that the information be returned to be submitted as a part of the presentence investigation. To the extent possible, the report shall include a complete listing of restitution for damages suffered by the victim.
- (4) An appropriate classification of each crime of conviction on the crime severity scale.
- (5) A listing of prior adult convictions or juvenile adjudications for felony or misdemeanor crimes or violations of county resolutions or city ordinances comparable to any misdemeanor defined by state law. Such listing shall include an assessment of the appropriate classification of the criminal history on the criminal history scale and the source of information regarding each listed prior conviction and any available source of journal entries or other documents through which the listed convictions may be verified. ~~If any such journal entries or other documents~~ The journal entries for each listed prior conviction that is necessary to establish the appropriate classification on the criminal history scale or to establish a special sentencing rule shall be attached to the criminal history worksheet and be a part of the court record. If any other documents verifying the listed convictions are obtained by the court services officer, they shall be attached to the presentence investigation report criminal history worksheet and be a part of the court record. Any prior criminal history worksheets of the defendant shall also be attached.
- (6) A proposed grid block classification for each crime, or crimes of conviction and the presumptive sentence for each crime, or crimes of conviction.

(7) If the proposed grid block classification is a grid block that presumes imprisonment, the presumptive prison term range and the presumptive duration of postprison supervision as it relates to the crime severity scale.

(8) If the proposed grid block classification does not presume prison, the presumptive prison term range and the presumptive duration of the nonprison sanction as it relates to the crime severity scale and the court services officer's professional assessment as to recommendations for conditions to be mandated as part of the nonprison sanction.

(9) For defendants who are being sentenced for a conviction of a felony violation of K.S.A. 65-4160 or 65-4162, prior to their repeal, or K.S.A. 2020 Supp. 21-5706, and amendments thereto, and meet the requirements of K.S.A. 2020 Supp. 21-6824, and amendments thereto, the drug abuse assessment as provided in K.S.A. 2020 Supp. 21-6824, and amendments thereto.

(10) For defendants who are being sentenced for a third or subsequent felony conviction of a violation of K.S.A. 65-4160 or 65-4162, prior to their repeal, or K.S.A. 2020 Supp. 21-5706, and amendments thereto, the drug abuse assessment as provided in K.S.A. 2020 Supp. 21-6824, and amendments thereto.

(c) The presentence investigation report will become part of the court record and shall be accessible to the public, except that the official version, defendant's version and the victim's statement, any psychological reports, risk and needs assessments and drug and alcohol reports and assessments shall be accessible only to: The parties; the sentencing judge; the department of corrections; community correctional services; any entity required to receive the information under the interstate compact for adult offender supervision; and, if requested, the Kansas sentencing commission. If the offender is committed to the custody of the secretary of corrections, the report shall be sent to the secretary and, in accordance with K.S.A. 75-5220, and amendments thereto, to the warden of the state correctional institution to which the defendant is conveyed.

(d) The criminal history worksheet will not substitute as a presentence investigation report.

(e) The presentence investigation report will not include optional report components, which would be subject to the discretion of the sentencing court in each district except for psychological reports and drug and alcohol reports.

(f) Except as provided in K.S.A. 2020 Supp. 21-6814, and amendments thereto, the court may take judicial notice in a subsequent felony proceeding of an earlier presentence investigation report criminal history worksheet prepared for a prior sentencing of the defendant for a felony committed on or after July 1, 1993.

(g) All presentence investigation reports in any case in which the defendant has been convicted of a felony shall be on a form approved by the Kansas sentencing commission.";

Also on page 1, in line 13, by striking all after the first "the"; in line 14, by striking all before "shall" and inserting "criminal history worksheet and attached documents prepared for the court pursuant to K.S.A. 2020 Supp. 21-6813(c)(5), and amendments thereto,"; in line 29, after the period by inserting "In designating a record that shows prejudicial error, the offender may provide the appellate court with journal entries of the challenged criminal history that were not originally attached to the criminal history worksheet, and the state may provide the appellate court with journal entries establishing a lack of prejudicial error. The court may take judicial notice of such

journal entries, complaints, plea agreements, jury instructions and verdict forms for Kansas convictions when determining whether prejudicial error exists. The court may remand the case if there is a reasonable question as to whether prejudicial error exists.";

Also, on page 1, following line 29, by inserting:

"Sec. 3. K.S.A. 2020 Supp. 21-6820 is hereby amended to read as follows: 21-6820. (a) A departure sentence or ruling on a motion filed pursuant to K.S.A. 22-3504, and amendments thereto, is subject to appeal by the defendant or the state. The appeal shall be to the appellate courts in accordance with rules adopted by the supreme court.

(b) Pending review of the sentence, the sentencing court or the appellate court may order the defendant confined or placed on conditional release, including bond.

(c) On appeal from a judgment of conviction entered for a felony committed on or after July 1, 1993, the appellate court shall not review:

- (1) Any sentence that is within the presumptive sentence for the crime; or
- (2) any sentence resulting from an agreement between the state and the defendant which the sentencing court approves on the record.

(d) In any appeal from a judgment of conviction imposing a sentence that departs from the presumptive sentence prescribed by the sentencing grid for a crime, sentence review shall be limited to whether the sentencing court's findings of fact and reasons justifying a departure:

- (1) Are supported by the evidence in the record; and
- (2) constitute substantial and compelling reasons for departure.

(e) In any appeal from a judgment of conviction, the appellate court may review a claim that:

- (1) A sentence that departs from the presumptive sentence resulted from partiality, prejudice, oppression or corrupt motive;
- (2) the sentencing court erred in either including or excluding recognition of a prior conviction or juvenile adjudication for criminal history scoring purposes; or
- (3) the sentencing court erred in ranking the crime severity level of the current crime or in determining the appropriate classification of a prior conviction or juvenile adjudication for criminal history purposes.

(f) The appellate court may reverse or affirm the sentence. If the appellate court concludes that the trial court's factual findings are not supported by evidence in the record or do not establish substantial and compelling reasons for a departure, it shall remand the case to the trial court for resentencing.

(g) The appellate court shall issue a written opinion whenever the judgment of the sentencing court is reversed. The court may issue a written opinion in any other case when it is believed that a written opinion will provide guidance to sentencing judges and others in implementing the sentencing guidelines adopted by the Kansas sentencing commission. The appellate courts may provide by rule for summary disposition of cases arising under this section when no substantial question is presented by the appeal.

(h) A review under summary disposition shall be made solely upon the record that was before the sentencing court. Written briefs shall not be required unless ordered by the appellate court and the review and decision shall be made in an expedited manner according to rules adopted by the supreme court.

(i) The sentencing court shall retain authority irrespective of any ~~notice of appeal for 90 days after entry of judgment of conviction to modify its judgment and sentence to correct any arithmetic or clerical errors~~ to correct an illegal sentence or clerical error

pursuant to K.S.A. 22-3504, and amendments thereto. Notwithstanding the provisions of K.S.A. 22-3504, and amendments thereto, if a motion to correct an illegal sentence is filed while a direct appeal is pending, any change in the law that occurs during the pending direct appeal shall apply.

(j) The amendments made to this section by ~~this act~~ section 14 of chapter 59 of the 2019 Session Laws of Kansas are procedural in nature and shall be construed and applied retroactively.;

Also on page 1, in line 30, after "Supp." by inserting "21-6813,"; also in line 30, by striking "is" and inserting "and 21-6820 are";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 2, after "requiring" by inserting "the journal entries used to establish criminal history be attached to a criminal history worksheet and"; in line 4, after "error" by inserting "; authorizing the court jurisdiction to correct an illegal sentence while a direct appeal is pending"; also in line 4, after "Supp." by inserting "21-6813,"; also in line 4, after "21-6814" by inserting "and 21-6820"; in line 5, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2302** be passed.

Committee on **Insurance and Pensions** recommends **HB 2243** be passed.

Committee on **Taxation** recommends **HB 2143** be passed.

Committee on **Veterans and Military** recommends **HB 2020** be passed.

## REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 13**, by Representative Jason Probst, honoring the memory of The Honorable Judge Gregory L. Waller for his lifelong service to his community, Sedgwick County and the State of Kansas.

**Request No. 14**, by Representative Dave Baker, congratulating Bachura Family Automotive on receiving the 2020 NAPA KC Auto Care Center of the year award.

**Request No. 15**, by Representative Timothy Johnson, honoring the academic and community service of the Basehor-Linwood High School National Honor Society Class of 2021.

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hawkins, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2405**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; authorizing the issuance of revenue bonds to finance the

unfunded actuarial pension liability of KPERS; providing requirements, limitations and procedures for the Kansas development finance authority, department of administration and the state finance council pertaining to such bonds, by Committee on Appropriations.

#### **CHANGE OF REFERENCE**

Speaker pro tem Finch announced the withdrawal of **HB 2039** from Committee of the Whole and re-referral to Committee on Education.

Also, the withdrawal of **HB 2331** from Committee on Agriculture and referral to Committee on Commerce, Labor and Economic Development.

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Finch announced the appointment of Rep. Winn to replace Rep. L. Ruiz on Committee on Commerce, Labor and Economic Development on February 18, 2021.

Also, the appointment of Rep. Woodard to replace Rep. Bishop on Committee on Health and Human Services on February 18, 2021.

#### **REPORT ON ENGROSSED BILLS**

**HB 2076, HB 2087, HB 2104, HB 2115, HB 2172** reported correctly engrossed February 17, 2021.

On motion of Rep. Hawkins, the House adjourned pro forma until 8:30 a.m. on Friday February 19, 2021.

# Journal of the House

TWENTY-NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, February 19, 2021, 8:30 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Finch in the chair.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2402, HB 2404.**  
 Corrections and Juvenile Justice: **HB 2401.**  
 Federal and State Affairs: **HB 2403.**  
 Insurance and Pensions: **HB 2405.**  
 Local Government: **SB 118.**  
 Transportation: **SB 67.**

## MESSAGES FROM THE GOVERNOR

January 26, 2021

*Message to the Kansas House of Representatives:*

Enclosed herewith is Executive Order No. 21-01 for your information.

EXECUTIVE ORDER NO. 21-01

Temporary provisions for employer payment of income tax withholding for work performed in another state

LAURA KELLY  
*Governor*

January 26, 2021

*Message to the Kansas House of Representatives:*

Enclosed herewith is Executive Order No. 21-02 for your information.

EXECUTIVE ORDER NO. 21-02

Extending certain executive orders relating to the COVID-19 pandemic

LAURA KELLY  
*Governor*

February 12, 2021

*Message to the Kansas House of Representatives:*

Enclosed herewith is Executive Order No. 21-03 for your information.

EXECUTIVE ORDER NO. 21-03

Conditional and Temporary Relief from Certain Motor Carrier Rules and Regulations

LAURA KELLY  
Governor

The above Executive Orders are on file and open for inspection in the office of the Chief Clerk.

**MESSAGES FROM THE SENATE**

Announcing passage of **SB 60, SB 65, SB 66, SB 77, SB 88, SB 103, SB 107.**

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 60, SB 65, SB 66, SB 77, SB 88, SB 103, SB 107.**

**REPORTS OF STANDING COMMITTEES**

Committee on **Federal and State Affairs** recommends **HB 2224** be amended on page 2, in line 18, after "(a)" by inserting "(1)"; in line 24, after the period by inserting:

"(2) The court shall order a person arrested and charged to submit to infectious disease tests";

Also on page 2, also in line 24, after "If" by inserting ":

(A)";

Also on page 2, in line 26, by striking all before "tests" and inserting "such"; also in line 26, by striking all after "offender"; in line 27, by striking all before "to" and inserting "; or

(B) such person stated they had an infectious disease or were infected with an infectious disease, or used words of like effect,";

Also on page 2, in line 28, by striking all after "arrest"; by striking all in lines 29 and 30; in line 31, by striking all before the period; also in line 31, after the period by inserting:

"(3)";

On page 3, in line 24, by striking "arrested or"; and the bill be passed as amended.

Committee on **Insurance and Pensions** recommends **HB 2136** be amended on page 1, by striking all in lines 17 through 36;

On page 2, by striking all in lines 1 through 21; in line 28, by striking "For the purposes of" and inserting "As used in";

On page 3, in line 14, after "(4)" by inserting ""Service contract" does not include an automobile service contract. As used in this paragraph, "automobile club service contract" means a contract that provides, in consideration of dues, assessments or periodic payments of money, promises to assist in matters relating to travel and the operation, use and maintenance of an automobile by supplying features or services or reimbursement thereof, including, but not limited to:

(A) Such services as community traffic safety service, travel and touring service, theft or reward service, map service, towing service, emergency road service, bail bond service and legal fee reimbursement service in the defense of traffic offenses. Such services shall not be subject to the insurance laws of this state if provided by the promisor itself;

(B) features including the purchase of accidental injury and death benefits insurance coverage issued, as provided by applicable statutes, by an insurance company authorized to do business in Kansas; or

(C) such other features or services not deemed by the commissioner to constitute the business of insurance.

(5)";

On page 14, in line 42, by striking "40-103,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking all after the semicolon; in line 3, by striking all before "updating"; in line 10, by striking "40-103,"; and the bill be passed as amended.

#### **REPORT ON ENGROSSED BILLS**

**HB 2114, HB 2125** reported correctly engrossed February 18, 2021.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Monday, February 22, 2021.

# Journal of the House

THIRTIETH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, February 22, 2021, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Finch in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2406**, AN ACT concerning alcoholic liquor; restricted hours and days of sales; authorizing issuance of cereal malt beverage retailers' licenses to producers; sale in retail liquor stores; relating to the sale of cereal malt beverage in the original package; amending K.S.A. 2020 Supp. 41-712, 41-2703, 41-2704 and 41-2911 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2407**, AN ACT concerning postsecondary educational institutions; relating to policies on sexual assault, domestic violence, dating violence and stalking; prescribing the provisions thereof, by Committee on Federal and State Affairs.

**HB 2408**, AN ACT concerning the disposition of certain state real property; authorizing the state historical society to convey certain real property located in Doniphan county; imposing certain conditions; prescribing costs of conveyance, by Committee on Federal and State Affairs.

**HB 2409**, AN ACT concerning firearms; relating to the personal and family protection act; providing permanent exemptions for postsecondary educational institutions; amending K.S.A. 75-7c20 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2410**, AN ACT concerning firearms; creating the gun violence restraining order act; authorizing issuance of protective orders prohibiting firearm acquisition and possession, by Committee on Federal and State Affairs.

**HB 2411**, AN ACT concerning school district boards of education; relating to the professional negotiations act; authorizing boards of education to choose which professional employees' organization to recognize as the exclusive bargaining unit for negotiations; amending K.S.A. 72-2219, 72-2220, 72-2221, 72-2226 and 72-2235 and repealing the existing sections; also repealing K.S.A. 72-2222, 72-2223, 72-2224 and 72-2225, by Committee on Appropriations.

**HB 2412**, AN ACT concerning the attorney general; enacting the Kansas fights addiction act; providing for the expenditure of moneys recovered in opioid litigation; establishing a grant program to address the effects of substance abuse and addiction; Kansas fights addiction grant review board; Kansas fights addiction fund, by Committee on Appropriations.

**HB 2413**, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for friends of hospice of Jefferson county; amending K.S.A. 79-3606 and repealing the existing section, by Committee on Taxation.

**HB 2414**, AN ACT concerning income taxation; relating to the child day care services assistance tax credit; increasing the amount of the credit for years following facility establishment; providing a credit for employer payments to an organization providing access to employees for child day care services; expanding eligible taxpayers; amending K.S.A. 79-32,190 and repealing the existing section, by Committee on Taxation.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce, Labor and Economic Development: **SB 65**, **SB 66**.

Health and Human Services: **SB 77**.

Judiciary: **SB 60**, **SB 103**, **SB 107**.

Local Government: **SB 88**.

### MESSAGES FROM THE SENATE

Announcing passage of **SB 49**, **SB 52**, **SB 85**.

### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

**SB 49**, **SB 52**, **SB 85**.

### REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2101** be amended on page 2, following line 27, by inserting:

"Sec. 3. K.S.A. 76-7,139 is hereby amended to read as follows: 76-7,139. (a) The secretary, the board of regents and the state educational institutions shall have all the powers necessary or convenient to carry out the purposes and provisions of this act.

(b) When reviewing plans of each state educational institution and making decisions regarding expenditures from the Kan-grow engineering fund – KU, Kan-grow engineering fund – KSU and Kan-grow engineering fund – WSU, the secretary, in consultation with the board of regents, shall consider the different needs of each state educational institution to expand such institution's program to increase the number of engineering graduates.

(c) On or before the first day of the 2017 regular session, the secretary shall conduct a review of each state educational institution's plan to meet the goals established in the university engineering initiative act. The report shall include an analysis of whether or not the institutions are on course to meet the goals established in this act.

(d) On or before January 10, 2022, and annually thereafter, each state educational institution, the board of regents and the secretary shall report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on how many engineering graduates remain in the state over the previous three years. Such report shall provide detail concerning all efforts to increase retention

of graduates and opportunities for graduates in the state and shall include information regarding the number of engineering graduates from each state educational institution that were initially enrolled as in-state or out-of-state students."

Also on page 2, in line 28, by striking "and" and inserting a comma; also in line 28, after "76-7,137" by inserting "and 76-7,139";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "requiring certain reports to the legislature from state educational institutions, the board of regents and the secretary of commerce;"; also in line 3, by striking the first "and" and inserting a comma; also in line 3, after "76-7,137" by inserting "and 76-7,139"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2192** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2128** be amended on page 1, in line 33, before the colon by inserting ", whose offense is classified in grid blocks"; in line 34, by striking all after "(1)"; in line 35, by striking "(i)"; in line 36, by striking all after "crimes";

On page 2, by striking all in lines 1 through 3; in line 4, by striking all before "and"; in line 5, by striking "(B)"; also in line 5, by striking "who" and inserting "such offender"; in line 10, by striking all after "(2)"; in line 11, by striking "(i)"; in line 12, by striking "; or"; by striking all in lines 13 and 14; in line 15, by striking "(B) who" and inserting ", such offender"; in line 21, by striking the semicolon and inserting a comma; in line 23, by striking "(C)";

On page 1, in the title, in line 3, by striking all after the semicolon; in line 4, by striking all before "amending"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2051** be amended on page 1, in line 14, by striking "called" and inserting "convened"; in line 19, after "(b)" by inserting "The election shall be by secret ballot, and the person elected shall be the person who receives the majority of all votes cast. If no person receives a majority of all votes cast on any ballot, the balloting shall continue until a person receives a majority of all the votes cast. Each state delegate of the party shall be entitled to vote. No state delegate shall be represented or vote by proxy. The convention may adopt such rules necessary to govern its procedure in making nominations, voting, counting and canvassing votes and for the conduct of any business that may properly be brought before the convention, except that such rules shall not be in conflict with the provisions of this section.

(c)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2212** be passed.

Committee on **Federal and State Affairs** recommends **HB 2088** be amended on page 2, in line 36, after "secretary" by inserting ", or the secretary's designee,"; in line 37, after "agency" by inserting ", or such agency's designee,"; in line 40, after "agency" by inserting ", or the designees of the secretary and such agency,"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2208** be amended on page 1, by striking all in lines 13 through 36;

On page 2, by striking all in lines 1 through 5; following line 5 by inserting:

"New Section 1. (a) Notwithstanding any other provision of law, a physician holding a license issued by the applicable licensing agency of another state or who otherwise meets the requirements of this section may practice telemedicine to treat patients located in the state of Kansas, if such physician receives a telemedicine waiver issued by the state board of healing arts. The state board of healing arts shall issue such a waiver within 15 days from receipt of a complete application, if the physician:

(1) Submits a complete application that may include evidence in the form of an affidavit from an authorized third party that the applicant meets the requirements of this section in a manner determined by the state board of healing arts and pays a fee not to exceed \$100; and

(2) holds an unrestricted license to practice medicine and surgery in another state or meets the qualifications required under Kansas law for a license to practice medicine and surgery and is not the subject of any investigation or disciplinary action by the applicable licensing agency.

(b) A physician practicing telemedicine in accordance with this subsection shall conduct an appropriate assessment and evaluation of the patient's current condition and document the appropriate medical indication for any prescription issued.

(c) Nothing in this section shall supersede or otherwise affect the provisions of K.S.A. 65-4a10, and amendments thereto, or K.S.A. 2020 Supp. 40-2,210 et seq., and amendments thereto.

(d) Any person who receives a telemedicine waiver under the provisions of this section shall be subject to all rules and regulations pertaining to the practice of the licensed profession in this state and shall be considered a licensee for the purposes of the professional practice acts administered by the state board of healing arts.

(e) A waiver issued under this section shall expire on the date of expiration established by the state board of healing arts unless renewed in the manner established by the state board of healing arts, including payment of an annual renewal fee not to exceed \$100 and evidence that the applicant continues to meet the qualifications described in this section.

(f) Notwithstanding any other provision of law to the contrary, a physician holding a license issued by the applicable licensing agency of another state may provide, without limitation, consultation through remote technology to a physician licensed in the state of Kansas.

(g) An applicable healthcare licensing agency of this state may adopt procedures consistent with this section to allow other healthcare professionals licensed and regulated by such licensing agency to practice telemedicine within the scope of practice defined by Kansas law for such healthcare profession as deemed by such licensing agency to be consistent with ensuring patient safety.

(h) Nothing in this section shall be construed to prohibit a licensing agency from denying an application for a waiver under this section if the licensing body determines that granting the application may endanger the health and safety of the public.

(i) As used in this section, "telemedicine" means the delivery of healthcare services by a healthcare provider while the patient is at a different physical location.";

On page 10, in line 10, by striking all after "manual"; in line 11, by striking all before the semicolon;

On page 14, by striking all in lines 3 through 32;

On page 34, in line 19, by striking "65-6314,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before "professions" and inserting "health professions and practices; authorizing the issuance of telemedicine waivers for the practice of telemedicine by physicians and other providers; relating to"; also in line 2, by striking "thereby" and inserting "by the behavioral sciences regulatory board"; in line 3, by striking all after the semicolon; in line 4, by striking all before "expanding"; in line 7, by striking "65-6314,"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2078** be amended on page 3, in line 19, by striking all after "cases"; in line 20, by striking "act"; in line 21, by striking all after "(k)"; in line 22, by striking all before the period and inserting "When prioritizing cases for trial, trial courts shall consider relevant factors, including, but not limited to, the:

- (1) Trial court's calendar;
- (2) relative prejudice to the defendant;
- (3) defendant's assertion of the right to speedy trial;
- (4) calendar of trial counsel;
- (5) availability of witnesses; and
- (6) relative safety of the proceedings to participants as a result of the response to the COVID-19 public health emergency in the judicial district";

On page 1, in the title, in line 2, by striking "and elimination"; in line 3, after the semicolon by inserting "providing guidelines for prioritizing trials,"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2093** be amended on page 1, in line 34, by striking "or"; in line 36, after "(c)(2)" by inserting "; or

- (3) willfully drives the wrong way into an opposing lane of travel on a divided highway as defined in K.S.A. 8-1414, and amendments thereto, willfully departs the appropriate lane of travel into an opposing lane of travel on any roadway causing an evasive maneuver by another driver, willfully drives through any intersection causing an evasive maneuver by another driver or causes a collision involving another driver";

On page 2, in line 1, by striking ", upon" and inserting "is"; in line 2, by striking "First conviction is a"; also in line 2, after "misdemeanor" by inserting "when the person being sentenced has no prior convictions for a violation of subsection (a) or (b)"; in line 3, by striking "second conviction is a"; also in line 3, after "misdemeanor" by inserting "when the person being sentenced has one prior conviction for a violation of subsection (a) or (b)"; in line 4, by striking "third or subsequent conviction is a"; also in line 4, after "felony" by inserting "when the person being sentenced has two or more prior convictions for a violation of subsection (a) or (b)"; in line 5, after "(b)" by inserting "(1) or (b)(2)"; in line 6, after "(3)" by inserting "Violation of subsection (b)(3) is a severity level 7, person felony.

- (4)";

On page 1, in the title, in line 3, after "vehicle", by inserting ", committing certain driving violations or causing a collision involving another driver"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2229** be amended on page 2, following line 26, by inserting:

"Sec. 2. K.S.A. 2020 Supp. 21-5802 is hereby amended to read as follows: 21-5802. (a) Theft of property lost, mislaid or delivered by mistake is obtaining control of property of another by a person who:

- (1) Knows or learns the identity of the owner thereof;
- (2) fails to take reasonable measures to restore to the owner lost property, mislaid property or property delivered by a mistake; and
- (3) intends to permanently deprive the owner of the possession, use or benefit of the property.

(b) Theft of property lost, mislaid or delivered by mistake of the value of:

- (1) \$100,000 or more is a severity level 5, nonperson felony;
- (2) at least \$25,000 but less than \$100,000 is a severity level 7, nonperson felony;
- (3) at least ~~\$1,000~~ \$1,500 but less than \$25,000 is a severity level 9, nonperson felony; and

(4) less than ~~\$1,000~~ \$1,500 is a class A nonperson misdemeanor.

(c) As used in this section, "property delivered by mistake" includes, but is not limited to, a mistake as to the:

- (1) Nature or amount of the property; or
- (2) identity of the recipient of the property.

Sec. 3. K.S.A. 2020 Supp. 21-5813 is hereby amended to read as follows: 21-5813.

(a) Criminal damage to property is by means other than by fire or explosive:

- (1) Knowingly damaging, destroying, defacing or substantially impairing the use of any property in which another has an interest without the consent of such other person; or

- (2) damaging, destroying, defacing or substantially impairing the use of any property with intent to injure or defraud an insurer or lienholder.

(b) Aggravated criminal damage to property is criminal damage to property, as defined in subsection (a)(1), if the value or amount of damage exceeds \$5,000, committed with the intent to obtain any regulated scrap metal as defined in K.S.A. 2020 Supp. 50-6,109, and amendments thereto, or any items listed in K.S.A. 2020 Supp. 50-6,111(d), and amendments thereto, upon:

- (1) Any building, structure, personal property or place used primarily for worship or any religious purpose;

- (2) any building, structure or place used as a school or as an educational facility;

- (3) any building, structure or place used by a non-profit or charitable business, corporation, firm, service or association;

- (4) any grave, cemetery, mortuary or personal property of the cemetery or mortuary or other facility used for the purpose of burial or memorializing the dead;

- (5) any agricultural property or agricultural infrastructure;

- (6) any construction, mining or recycling facility, structure or site;

- (7) any utility, utility service, telecommunication, telecommunication service, cable or video service facility, property, building, structure, site or component thereof;

- (8) any municipal, county or state building, structure, site or property;

(9) any residential, commercial, industrial or agricultural irrigation, sprinkler or watering system or component thereof;

(10) the infrastructure of any residence, building or structure;

(11) any historical marker, plaque or work of art;

(12) any vehicle or transportation building, facility, structure, site or property; or

(13) any other building, structure, residence, facility, site, place, property, vehicle or any infrastructure thereof.

(c) Criminal damage to property if the property:

(1) Is damaged to the extent of \$25,000 or more is a severity level 7, nonperson felony;

(2) is damaged to the extent of at least ~~\$1,000~~ \$1,500 but less than \$25,000 is a severity level 9, nonperson felony; and

(3) damaged is of the value of less than ~~\$1,000~~ \$1,500 or is of the value of ~~\$1,000~~ \$1,500 or more and is damaged to the extent of less than ~~\$1,000~~ \$1,500 is a class B nonperson misdemeanor.

(d) Aggravated criminal damage to property is a severity level 6, nonperson felony.

(e) (1) As used in subsection (b):

(A) "Infrastructure" includes any fixture to, attachment upon or part of a residence, building or structure's framework, electrical wiring and appurtenances, plumbing or heating and air systems; and

(B) "site" includes any area, place or location set aside for specific use or uses, including, but not limited to, storage, staging, repair, sorting, transportation, planning or organization.

(2) Any of the items or locations listed in subsection (b) shall include the curtilage, adjoining land and any improvements thereupon.

(3) Nothing in subsection (b) shall be construed to require the:

(A) Construction or existence of any door, gate, fence, barrier or wall; or

(B) existence of notice, postings or signs to potential trespassers.

(f) In determining the amount of damage to property, damages may include the cost of repair or replacement of the property that was damaged, the reasonable cost of the loss of production, crops and livestock, reasonable labor costs of any kind, reasonable material costs of any kind and any reasonable costs that are attributed to equipment that is used to abate or repair the damage to the property.

Sec. 4. K.S.A. 2020 Supp. 21-5821 is hereby amended to read as follows: 21-5821.

(a) Giving a worthless check is the making, drawing, issuing or delivering or causing or directing the making, drawing, issuing or delivering of any check on any financial institution for the payment of money or its equivalent with intent to defraud and knowing, at the time of the making, drawing, issuing or delivering of such check that the maker or drawer has no deposit in or credits with the financial institution or has not sufficient funds in, or credits with, the financial institution for the payment of such check in full upon its presentation.

(b) Giving a worthless check is a:

(1) Severity level 7, nonperson felony if:

(A) The check is drawn for \$25,000 or more; or

(B) more than one worthless check is given within a seven-day period and the combined total of the checks is \$25,000 or more;

(2) severity level 9, nonperson felony if:

- (A) The check is drawn for at least ~~\$1,000~~ \$1,500 but less than \$25,000;
- (B) more than one worthless check is given within a seven-day period and the combined total of the checks is at least ~~\$1,000~~ \$1,500 but less than \$25,000; or
- (C) the person giving the worthless check has, within five years immediately preceding commission of the crime, been convicted of giving a worthless check two or more times; and
- (3) class A nonperson misdemeanor if the check is drawn for less than ~~\$1,000~~ \$1,500.

(c) As used in this section and K.S.A. 2020 Supp. 21-5822, and amendments thereto:

- (1) "Check" is any check, order or draft on a financial institution;
- (2) "financial institution" means any bank, credit union, savings and loan association or depository; and
- (3) "notice" includes oral or written notice to the person entitled thereto.
- (d) In any prosecution against the maker or drawer of a check, payment of which has been refused by the financial institution on account of insufficient funds, the making, drawing, issuing or delivering of such check shall be prima facie evidence of intent to defraud and of knowledge of insufficient funds in, or on deposit with, the financial institution:

(1) Unless the maker or drawer pays the holder thereof the amount due thereon and a service charge not exceeding \$30 for each check, within seven days after notice has been given to the maker or drawer that such check has not been paid by the financial institution. Written notice shall be presumed to have been given when deposited as restricted matter in the United States mail, addressed to the person to be given notice at such person's address as it appears on such check; or

(2) if a postdated date is placed on the check without the knowledge or consent of the payee.

(e) It shall not be a defense to a prosecution under this section that the check upon which such prosecution is based was:

(1) Postdated, unless such check was presented for payment prior to the postdated date; or

(2) given to a payee who had knowledge or had been informed, when the payee accepted such check that the maker did not have sufficient funds in the hands of the financial institution to pay such check upon presentation, unless such check was presented for payment prior to the date the maker informed the payee there would be sufficient funds.

(f) In addition to all other costs and fees allowed by law, each prosecutor who takes any action under the provisions of this section may collect from the issuer in such action an administrative handling cost, except in cases filed in a court of appropriate jurisdiction. The cost shall not exceed \$10 for each check. If the issuer of the check is convicted in a district court, the administrative handling costs may be assessed as part of the court costs in the matter. The moneys collected pursuant to this subsection shall be deposited into a trust fund which shall be administered by the board of county commissioners. The funds shall be expended only with the approval of the board of county commissioners, but may be used to help fund the normal operating expenses of the county or district attorney's office.

Sec. 5. K.S.A. 2020 Supp. 21-5825 is hereby amended to read as follows: 21-5825.

(a) Counterfeiting is manufacturing, using, displaying, advertising, distributing or possessing with intent to distribute any item or services knowing such item or services bear or are identified by a counterfeit mark.

(b) Counterfeiting is a:

(1) Severity level 7, nonperson felony if:

(A) The retail value of such item or service is \$25,000 or more;

(B) such counterfeiting involves 1,000 or more items bearing a counterfeit mark; or

(C) a third or subsequent violation of this section;

(2) severity level 9, nonperson felony if:

(A) The retail value of such item or service is at least ~~\$1,000~~ \$1,500 but less than \$25,000;

(B) such counterfeiting involves more than 100 but less than 1,000 items bearing a counterfeit mark; or

(C) a second violation of this section; and

(3) class A nonperson misdemeanor, if the retail value of such item or service is less than ~~\$1,000~~ \$1,500.

(c) A person having possession, custody or control of more than 25 items bearing a counterfeit mark shall be presumed to possess such items with intent to distribute.

(d) Any state or federal certificate of registration of any intellectual property shall be prima facie evidence of the facts stated therein.

(e) As used in this section:

(1) "Counterfeit mark" means:

(A) Any unauthorized reproduction or copy of intellectual property; or

(B) intellectual property affixed to any item knowingly sold, offered for sale, manufactured or distributed, or identifying services offered or rendered, without the authority of the owner of the intellectual property;

(2) "intellectual property" means any trademark, service mark or trade name as such terms are defined in K.S.A. 81-202, and amendments thereto; and

(3) "retail value" means the counterfeiter's regular selling price for the item or service bearing or identified by the counterfeit mark. In the case of items bearing a counterfeit mark which are components of a finished product, the retail value shall be the counterfeiter's regular selling price of the finished product on or in which the component would be utilized.

(f) The quantity or retail value of items or services shall include the aggregate quantity or retail value of all items bearing, or services identified by, every counterfeit mark the defendant manufactures, uses, displays, advertises, distributes or possesses.

Sec. 6. K.S.A. 2020 Supp. 21-5828 is hereby amended to read as follows: 21-5828.

(a) Criminal use of a financial card is any of the following acts done with intent to defraud and to obtain money, goods, property or services:

(1) Using a financial card without the consent of the cardholder;

(2) using a financial card, or the number or description thereof, which has been revoked or canceled; or

(3) using a falsified, mutilated, altered or nonexistent financial card or a number or description thereof.

(b) Criminal use of a financial card is a:

(1) Severity level 7, nonperson felony if the money, goods, property or services obtained within any seven-day period are of the value of \$25,000 or more;

(2) severity level 9, nonperson felony if the money, goods, property or services obtained within any seven-day period are of the value of at least ~~-\$1,000~~ \$1,500 but less than \$25,000; and

(3) class A nonperson misdemeanor if the money, goods, property or services obtained within a seven-day period are of the value of less than ~~-\$1,000~~ \$1,500.

(c) As used in this section:

(1) "Financial card" means an identification card, plate, instrument, device or number issued by a business organization authorizing the cardholder to purchase, lease or otherwise obtain money, goods, property or services or to conduct other financial transactions; and

(2) "cardholder" means the person or entity to whom or for whose benefit a financial card is issued.

(d) For the purposes of subsection (a)(2), a financial card shall be deemed canceled or revoked when notice in writing thereof has been received by the named holder thereof as shown on such financial card or by the records of the company.

Sec. 7. K.S.A. 2020 Supp. 21-5830 is hereby amended to read as follows: 21-5830.

(a) Impairing a security interest is, with intent to defraud the secured party:

(1) Damaging, destroying or concealing any personal property subject to a security interest;

(2) selling, exchanging or otherwise disposing of any personal property subject to a security interest without the written consent of the secured party, where such sale, exchange or other disposition is not authorized by the secured party under the terms of the security agreement; or

(3) failing to account to the secured party for the proceeds of the sale, exchange or other disposition of any personal property subject to a security interest, where such sale, exchange or other disposition is authorized and such accounting for proceeds is required by the secured party under the terms of the security agreement or otherwise.

(b) Impairing a security interest, when the personal property subject to the security interest is of the value of:

(1) \$25,000 or more and is subject to a security interest of \$25,000 or more is a severity level 7, nonperson felony;

(2) at least ~~-\$1,000~~ \$1,500 and is subject to a security interest of at least ~~-\$1,000~~ \$1,500 and either the value of the property or the security interest is less than \$25,000 is a severity level 9, nonperson felony; and

(3) less than ~~-\$1,000~~ \$1,500, or of the value of ~~-\$1,000~~ \$1,500 or more but subject to a security interest of less than ~~-\$1,000~~ \$1,500 is a class A nonperson misdemeanor.

Sec. 8. K.S.A. 2020 Supp. 21-5927 is hereby amended to read as follows: 21-5927.

(a) Medicaid fraud is:

(1) With intent to defraud, making, presenting, submitting, offering or causing to be made, presented, submitted or offered:

(A) Any false or fraudulent claim for payment for any goods, service, item, facility or accommodation for which payment may be made, in whole or in part, under the medicaid program, whether or not the claim is allowed or allowable;

(B) any false or fraudulent statement or representation for use in determining payments which may be made, in whole or in part, under the medicaid program, whether or not the claim is allowed or allowable;

(C) any false or fraudulent report or filing which is or may be used in computing or

determining a rate of payment for any goods, service, item, facility or accommodation, for which payment may be made, in whole or in part, under the medicaid program, whether or not the claim is allowed or allowable;

(D) any false or fraudulent statement or representation made in connection with any report or filing which is or may be used in computing or determining a rate of payment for any goods, service, item, facility or accommodation for which payment may be made, in whole or in part, under the medicaid program, whether or not the claim is allowed or allowable;

(E) any statement or representation for use by another in obtaining any goods, service, item, facility or accommodation for which payment may be made, in whole or in part, under the medicaid program, knowing the statement or representation to be false, in whole or in part, by commission or omission, whether or not the claim is allowed or allowable;

(F) any claim for payment, for any goods, service, item, facility, or accommodation, which is not medically necessary in accordance with professionally recognized parameters or as otherwise required by law, for which payment may be made, in whole or in part, under the medicaid program, whether or not the claim is allowed or allowable;

(G) any wholly or partially false or fraudulent book, record, document, data or instrument, which is required to be kept or which is kept as documentation for any goods, service, item, facility or accommodation or of any cost or expense claimed for reimbursement for any goods, service, item, facility or accommodation for which payment is, has been, or can be sought, in whole or in part, under the medicaid program, whether or not the claim is allowed or allowable;

(H) any wholly or partially false or fraudulent book, record, document, data or instrument to any properly identified law enforcement officer, any properly identified employee or authorized representative of the attorney general, or to any properly identified employee or agent of the Kansas department for aging and disability services, Kansas department of health and environment, or its fiscal agent, in connection with any audit or investigation involving any claim for payment or rate of payment for any goods, service, item, facility or accommodation payable, in whole or in part, under the medicaid program; or

(I) any false or fraudulent statement or representation made, with the intent to influence any acts or decision of any official, employee or agent of a state or federal agency having regulatory or administrative authority over the medicaid program; or

(2) intentionally executing or attempting to execute a scheme or artifice to defraud the medicaid program or any contractor or subcontractor thereof.

(b) (1) Except as provided in subsection (b)(2), for each individual count of medicaid fraud as defined in subsection (a)(1)(A), (a)(1)(B), (a)(1)(C), (a)(1)(D), (a)(1)(E), (a)(1)(F), (a)(1)(G) or (a)(2), where the aggregate amount of payments illegally claimed is:

(A) \$250,000 or more, medicaid fraud is a severity level 3, nonperson felony;

(B) at least \$100,000 but less than \$250,000, medicaid fraud is a severity level 5, nonperson felony;

(C) at least \$25,000 but less than \$100,000, medicaid fraud is a severity level 7, nonperson felony;

(D) at least ~~\$1,000~~ \$1,500 but less than \$25,000, medicaid fraud is a severity level

9, nonperson felony; and

(E) less than ~~\$1,000~~ \$1,500, medicaid fraud is a class A nonperson misdemeanor.

(2) For each individual count of medicaid fraud as defined in subsection (a)(1)(A), (a)(1)(B), (a)(1)(C), (a)(1)(D), (a)(1)(E), (a)(1)(F), (a)(1)(G) or (a)(2):

(A) When great bodily harm results from such act, regardless of the aggregate amount of payments illegally claimed, medicaid fraud is a severity level 4, person felony, except as provided in subsection (b)(2)(B); and

(B) when death results from such act, regardless of the aggregate amount of payments illegally claimed, medicaid fraud is a severity level 1, person felony.

(3) Medicaid fraud as defined in subsection (a)(1)(H) or (a)(1)(I) is a severity level 9, nonperson felony.

(c) In determining what is medically necessary pursuant to subsection (a)(1)(F), the attorney general may contract with or consult with qualified health care providers and other qualified individuals to identify professionally recognized parameters for the diagnosis or treatment of the recipient's condition, illness or injury.

(d) In sentencing for medicaid fraud, ~~subsection (c)(3) of~~ K.S.A. 2020 Supp. 21-6815(c)(3), and amendments thereto, shall not apply and an act or omission by the defendant that resulted in any medicaid recipient receiving any service that was of lesser quality or amount than the service to which such recipient was entitled may be considered an aggravating factor in determining whether substantial and compelling reasons for departure exist pursuant to K.S.A. 2020 Supp. 21-6801 through 21-6824, and amendments thereto.

(e) A person who violates the provisions of this section may also be prosecuted for, convicted of, and punished for any form of battery or homicide.

Sec. 9. K.S.A. 2020 Supp. 21-6002 is hereby amended to read as follows: 21-6002.

(a) Official misconduct is any of the following acts committed by a public officer or employee in the officer or employee's public capacity or under color of the officer or employee's office or employment:

(1) Knowingly using or authorizing the use of any aircraft, as defined by K.S.A. 3-201, and amendments thereto, vehicle, as defined by K.S.A. 8-1485, and amendments thereto, or vessel, as defined by K.S.A. 32-1102, and amendments thereto, under the officer's or employee's control or direction, or in the officer's or employee's custody, exclusively for the private benefit or gain of the officer or employee or another;

(2) knowingly failing to serve civil process when required by law;

(3) using confidential information acquired in the course of and related to the officer's or employee's office or employment for the private benefit or gain of the officer or employee or another or to intentionally cause harm to another;

(4) except as authorized by law, with the intent to reduce or eliminate competition among bidders or prospective bidders on any contract or proposed contract:

(A) Disclosing confidential information regarding proposals or communications from bidders or prospective bidders on any contract or proposed contract;

(B) accepting any bid or proposal on a contract or proposed contract after the deadline for acceptance of such bid or proposal; or

(C) altering any bid or proposal submitted by a bidder on a contract or proposed contract;

(5) except as authorized by law, knowingly destroying, tampering with or concealing evidence of a crime; or

(6) knowingly submitting to a governmental entity a claim for expenses ~~which that~~ is false or duplicates expenses for which a claim is submitted to such governmental entity, another governmental or private entity.

(b) (1) Official misconduct as defined in:

(A) Subsections (a)(1) through (a)(4) is a class A nonperson misdemeanor;

(B) subsection (a)(5) is a:

(i) Severity level 8, nonperson felony if the evidence is evidence of a crime ~~which that~~ is a felony; and

(ii) class A nonperson misdemeanor if the evidence is evidence of a crime ~~which that~~ is a misdemeanor; and

(C) subsection (a)(6) if the claim is:

(i) \$25,000 or more is a severity level 7, nonperson felony;

(ii) at least ~~\$1,000~~ \$1,500 but less than \$25,000 is a severity level 9, nonperson felony; and

(iii) less than ~~\$1,000~~ \$1,500 is a class A nonperson misdemeanor.

(2) Upon conviction of official misconduct a public officer or employee shall forfeit such officer or employee's office or employment.

(c) The provisions of subsection (a)(1) shall not apply to any use of persons or property ~~which that~~:

(1) At the time of the use, is authorized by law or by formal written policy of the governmental entity; or

(2) constitutes misuse of public funds, as defined in K.S.A. 2020 Supp. 21-6005, and amendments thereto.

(d) As used in this section, "confidential" means any information that is not subject to mandatory disclosure pursuant to K.S.A. 45-221, and amendments thereto.

Sec. 10. K.S.A. 2020 Supp. 21-6004 is hereby amended to read as follows: 21-6004. (a) Presenting a false claim is, with the intent to defraud, presenting a claim or demand ~~which that~~ is false in whole or in part, to a public officer or body authorized to audit, allow or pay such claim.

(b) Permitting a false claim is the auditing, allowing or paying of any claim or demand made upon the state or any subdivision thereof or other governmental instrumentality within the state by a public officer or public employee who knows such claim or demand is false or fraudulent in whole or in part.

(c) (1) Presenting a false claim or permitting a false claim for:

(A) \$25,000 or more is a severity level 7, nonperson felony;

(B) at least ~~\$1,000~~ \$1,500 but less than \$25,000 is a severity level 9, nonperson felony; and

(C) less than ~~\$1,000~~ \$1,500 is a class A nonperson misdemeanor.

(2) Upon conviction of permitting a false claim, a public officer or public employee shall forfeit the officer or employee's office or employment.

Sec. 11. K.S.A. 2020 Supp. 21-6005 is hereby amended to read as follows: 21-6005. (a) Misuse of public funds is knowingly using, lending or permitting another to use public money in a manner not authorized by law, by a custodian or other person having control of public money by virtue of such person's official position.

(b) (1) Misuse of public funds where the aggregate amount of money paid or claimed in violation of this section is:

(A) \$100,000 or more is a severity level 5, nonperson felony;

(B) at least \$25,000 but less than \$100,000 is a severity level 7, nonperson felony;  
 (C) at least ~~\$1,000~~ \$1,500 but less than \$25,000 is a severity level 9, nonperson felony; and

(D) less than ~~\$1,000~~ \$1,500 is a class A nonperson misdemeanor.

(2) Upon conviction of misuse of public funds, the convicted person shall forfeit the person's official position.

(c) As used in this section, "public money" means any money or negotiable instrument ~~which that~~ belongs to the state of Kansas or any political subdivision thereof.

Sec. 12. K.S.A. 2020 Supp. 21-6205 is hereby amended to read as follows: 21-6205. (a) Criminal desecration is:

(1) Knowingly obtaining or attempting to obtain unauthorized control of a dead body or remains of any human being or the coffin, urn or other article containing a dead body or remains of any human being; or

(2) recklessly, by means other than by fire or explosive:

(A) Damaging, defacing or destroying the flag, ensign or other symbol of the United States or this state in which another has a property interest without the consent of such other person;

(B) damaging, defacing or destroying any public monument or structure;

(C) damaging, defacing or destroying any tomb, monument, memorial, marker, grave, vault, crypt gate, tree, shrub, plant or any other property in a cemetery; or

(D) damaging, defacing or destroying any place of worship.

(b) Criminal desecration as defined in:

(1) ~~Subsections~~ Subsection (a)(2)(B), (a)(2)(C) or (a)(2)(D) if the property is damaged to the extent of:

(A) \$25,000 or more is a severity level 7, nonperson felony;

(B) at least ~~\$1,000~~ \$1,500 but less than \$25,000 is a severity level 9, nonperson felony; and

(C) less than ~~\$1,000~~ \$1,500 is a class A nonperson misdemeanor; and

(2) ~~subsections~~ subsection (a)(1) or (a)(2)(A) is a class A nonperson misdemeanor.";

Also on page 2, in line 27, by striking "is" and inserting ", 21-5802, 21-5813, 21-5821, 21-5825, 21-5828, 21-5830, 21-5927, 21-6002, 21-6004, 21-6005 and 21-6205 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking "theft" and inserting "property crimes"; also in line 2, after the second semicolon by inserting "increasing felony loss thresholds for certain property crimes;"; in line 3, after "21-5801" by inserting ", 21-5802, 21-5813, 21-5821, 21-5825, 21-5828, 21-5830, 21-5927, 21-6002, 21-6004, 21-6005 and 21-6205"; in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2105, SB 47** be passed.

Committee on **Transportation** recommends **HB 2201** be amended on page 6, by striking all in lines 7 through 43;

By striking all on page 7;

On page 8, by striking all in lines 1 through 10;

On page 11, in line 34, by striking "68-2320 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, by striking all after the semicolon; in line 5, by striking "authority;" also in line 5, by striking "68-2320 and"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2296** be amended on page 2, in line 28, by striking "public transit or";

On page 3, in line 4, by striking all after "may"; in line 5, by striking all before "when" and inserting "permit public transit vehicles to pay a reduced toll rate compared to other vehicles";

On page 1, in the title, in line 4, by striking all after "support"; and the bill be passed as amended.

### **COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Finch announced the appointment of Rep. Corbet to replace Rep. Hoffman on Committee on Commerce, Labor and Economic Development on February 22, 2021.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Tuesday, February 23, 2021.

# Journal of the House

## THIRTY-FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, February 23, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 122 members present.  
Reps. Howard and Winn were excused on verified illness.  
Rep. Victors was excused on legislative business.

Prayer by Chaplain Brubaker,

Our Heavenly Father  
Through the Psalmist You have encouraged us  
to seek You – to seek Your face.  
If we do so, we can be confident that  
we will see the goodness of the Lord.  
In these unprecedented discouraging and disruptive times,  
I am sure it has been especially frustrating for our leaders  
to have to work on such serious issues  
without being able to sit across from each other  
and have face-to-face conversations.  
To have to do most work virtually can be exasperating  
and perhaps somewhat unsatisfying.  
Please continue to give our leaders the strength,  
determination and encouragement to work  
within the unusual circumstances and be able  
to resolve the differences to come to decisions.  
In Your Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Miller.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2415**, AN ACT concerning the state fire marshal; relating to law enforcement powers thereof; fire equipment standards; requiring investigation of fire deaths; amending K.S.A. 31-158 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2416**, AN ACT concerning governmental response to certain emergencies; relating to the Kansas emergency management act; modifying the procedure for the declaration and extension of a state of disaster emergency; limiting powers granted to

the governor during a state of disaster emergency; authorizing the legislative coordinating council and the legislature to take certain actions related to a state of disaster emergency; prohibiting the governor or the state board of education from closing private schools during a state of disaster emergency; amending K.S.A. 46-1202 and K.S.A. 2019 Supp. 48-925, as amended by section 4 of 2021 Senate Bill No. 14, and K.S.A. 2020 Supp. 48-924, as amended by section 2 of 2021 Senate Bill No. 14, and 48-925b and repealing the existing sections; also repealing K.S.A. 2019 Supp. 48-925, as amended by section 5 of 2021 Senate Bill No. 14, by Committee on Federal and State Affairs.

**HB 2417**, AN ACT concerning alcoholic beverages; relating to retailers, clubs and drinking establishments; allowing the removal of beer and cereal malt beverage from licensed premises; amending K.S.A. 2020 Supp. 41-308 and 41-2653, as amended by section 1 of 2021 Senate Bill No. 14, and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2418**, AN ACT concerning property taxation; relating to time for payments; persons 65 years of age and older; amending K.S.A. 79-2004 and 79-2004a and repealing the existing sections, by Committee on Taxation.

**HB 2419**, AN ACT concerning the Kansas board of barbering; relating to licensure and regulation of barbers; fees; amending K.S.A. 65-1808, 65-1809, 65-1810, 65-1812, 65-1813, 65-1814, 65-1815, 65-1816, 65-1817, 65-1818, 65-1819, 65-1820a, 65-1821, 65-1822, 65-1824, 65-1825a, 65-1826, 65-1827, 65-1831, 65-1835, 74-1805a, 74-1806 and 74-1807 and repealing the existing sections; also repealing K.S.A. 65-1828, by Committee on Appropriations.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Children and Seniors: **SB 85**.

Federal and State Affairs: **HB 2406, HB 2407, HB 2408, HB 2409, HB 2410**.

Judiciary: **HB 2412**.

K-12 Education Budget: **HB 2411**.

Local Government: **SB 52**.

Taxation: **HB 2413, HB 2414, SB 49**.

## CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2119** from Calendar and re-referral to Committee on K-12 Education Budget.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Blake Carpenter in the chair.

## COMMITTEE OF THE WHOLE

On motion of Rep. Blake Carpenter, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2191, HB 2237, SB 27** be passed.

On motion of Rep. Barker, **HB 2262** be amended on page 2, in line 13, after "(a)" by inserting "(1)"; in line 22, by striking "and as a part of" and the bill be passed as amended.

Committee report to **HB 2254** be adopted; and the bill be passed as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 39** be passed.

Committee on **Agriculture** recommends **SB 40**, as amended by Senate Committee of the Whole, be passed.

Committee on **Children and Seniors** recommends **HB 2345** be amended on page 1, in line 11, by striking all after "families"; by striking all in lines 12 and 13; in line 14, by striking "administration"; also in line 14, after "care" by inserting "as provided in K.S.A. 2020 Supp. 38-2201 et seq., and amendments thereto"; in line 26, by striking all after the second "and"; in line 27, by striking "administration" and inserting "juvenile courts"; in line 32, after "and" by inserting "the chief justice of the supreme court,"; in line 34, by striking the first "and" and inserting "or";

On page 2, in line 11, by striking "or" and inserting a comma; in line 12, after "welfare" by inserting "or any relevant joint committee"; in line 28, after "welfare" by inserting ", any relevant joint committee"; in line 35, after "(2)" by inserting "Such reports shall not include names or personally identifiable information of children, guardians or families in complaints.

(3)";

Also on page 2, in line 37, after "welfare" by inserting "or any relevant joint committee"; in line 39, by striking "4" and inserting "3";

On page 3, in line 6, by striking all after "(3)"; by striking all in lines 7 and 8; in line 9, by striking all before the semicolon and inserting "compile, collect and preserve a record of complaints received and processed that may reveal concerning patterns to be addressed"; in line 13, by striking all before the semicolon; in line 14, after "(5)" by inserting "receive and exchange records as provided in K.S.A. 2020 Supp. 38-2201 et seq. and 38-2301 et seq., and amendments thereto, to"; in line 15, by striking "subsections" and inserting "subsection"; in line 16, by striking all before the semicolon; in line 26, by striking the second "the"; in line 27, by striking all before the comma and inserting "juvenile courts"; in line 33, by striking all after "Access"; by striking all in lines 34 through 40; in line 41, by striking all before the semicolon and inserting "records as provided in K.S.A. 2020 Supp. 38-2201 et seq. and 38-2301 et seq., and amendments thereto, related to complaints received;

(2) access all written reports of child abuse and neglect maintained by the secretary for children and families related to complaints received";

Also on page 3, in line 43, after "providers" by inserting a comma;

On page 4, in line 3, by striking "the office of judicial administration" and inserting "juvenile courts"; by striking all in lines 6 through 10; in line 17, after "offender," by inserting "child in need of care,"; in line 25, by striking "office of judicial administration" and inserting "juvenile courts"; in line 31, by striking "and"; in line 34, after "appropriate" by inserting "; and

(11) conduct an independent review of any policy, procedure or practice that is the subject of a complaint submitted as provided in this section.

(c) (1) Any duty or action of the child advocate provided in sections 1 through 5, and amendments thereto, shall be independent of the judicial and executive branches of government.

(2) Nothing in this section shall create a just cause for delay of court proceedings or excuse any court, county attorney or district attorney, guardian ad litem or other agency from their duties in proceedings related to a child.

(3) No review of any complaint shall require any licensed professional to engage or not engage in conduct required or prohibited by any governing professional code of responsibility or conduct";

Also on page 4, in line 35, by striking all after "(a)"; by striking all in line 36; in line 37, by striking all before the second "shall" and inserting "Annual reports submitted as provided in section 1, and amendments thereto,";

On page 5, in line 6, by striking "38-2209 through K.S.A. 38-2213" and inserting "2020 Supp. 38-2201 et seq. and 38-2301 et seq.";

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

Also on page 5, in line 22, by striking all after the second "and"; in line 23, by striking "administration" and inserting "juvenile courts"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2252** be amended on page 1, in line 9, by striking "\$100" and inserting "\$50"; in line 10, by striking all after "for"; in line 11, by striking all before "involved" and inserting "each location that is"; in line 12, after "date" by inserting "specified on"; also in line 12, by striking all after the second "license"; in line 13, by striking "director"; in line 22, by striking the colon; by striking all in lines 23 and 24; in line 25, by striking "(2)"; also in line 25, by striking "other";

On page 2, in line 2, by striking "and special order shipping licensee";

On page 4, in line 1, by striking "all locations and facilities" and inserting "any location or facility"; and the bill be passed as amended.

Committee on **Insurance and Pensions** recommends **SB 29**, as amended by Senate Committee, be amended on page 2, in line 31, by striking "Kansas register" and inserting "statute book"; and the bill be passed as amended.

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Finch announced the appointment of Rep. Burris to replace Rep. Mason on Committee on Commerce, Labor and Economic Development on February 23, 2021.

Also, the appointment of Rep. Wolfe Moore to replace Rep. Winn on Committee on K-12 Education Budget on February 23, 2021.

Also, the appointment of Rep. Sawyer to replace Rep. Wolfe Moore on Committee on General Government Budget on February 23, 2021.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Wednesday, February 24, 2021.

# Journal of the House

## THIRTY-SECOND DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, February 24, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 124 members present.

Rep. Howard was excused on verified illness.

Excused later: Rep. Bishop.

Prayer by Chaplain Brubaker,

Gracious loving and giving God,  
thank You for this beautiful day that You have given us.  
Your word admonishes us to  
cast all our anxiety on You because You care for us.  
In all that will be discussed and accomplished today,  
there may be moments of anxiety and angst.  
To overcome this, it is important to remember that  
trust and thanksgiving will carry us safely throughout the day.  
Trusting protects us from worrying and obsessing.  
Thankfulness keeps us from criticizing and complaining.  
Help us all to first trust You and be thankful for You  
and who You are and how You help us—  
and to acknowledge that you will never do anything  
to cause us not to trust You or be thankful.  
Then help us to trust one another and be thankful,  
and to be on guard to not break that trust  
or cause for thankfulness for one another.  
This I pray in Your Son's Name, Amen.

The Pledge of Allegiance was led by Rep. Charles Smith.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

**HB 2420**, AN ACT concerning property taxation; relating to the classification and appraised valuation notice; providing information on prior year tax valuations; amending K.S.A. 79-1460 and repealing the existing section, by Committee on Taxation.

**HB 2421**, AN ACT concerning income taxation; relating to addition and subtraction modifications for the treatment of global intangible low-taxed income, business interest, capital contributions, FDIC premiums, business meals and payment protection program loans and expenses; expanding the expense deduction for income taxpayers and calculating the deduction amount; providing the ability to elect to itemize for individuals; exemption of unemployment compensation income attributable as a result of identity fraud; amending K.S.A. 79-32,117, 79-32,120, 79-32,138 and 79-32,143a and repealing the existing sections, by Committee on Taxation.

HOUSE CONCURRENT RESOLUTION No. **HCR 5014**—

By Committee on Appropriations

A PROPOSITION to amend article 1 of the constitution of the state of Kansas by adding a new section thereto, concerning oversight by the legislature of certain executive branch actions.

*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 1 of the constitution of the state of Kansas is hereby amended by adding a new section to read as follows:

**"§ 17. Legislative oversight of administrative rules and regulations.** Whenever the legislature by law has authorized any officer or agency within the executive branch of government to adopt rules and regulations that have the force and effect of law, the legislature may provide by law for the revocation or suspension of any such rule and regulation, or any portion thereof, upon a vote of a majority of the members then elected or appointed and qualified in each house."

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

*"Explanatory statement.* The purpose of this amendment is to provide the legislature with oversight of state executive branch agencies and officials by providing the legislature authority to establish procedures to revoke or suspend rules and regulations.

"A vote for this proposition would allow the legislature to establish procedures to revoke or suspend rules and regulations that are adopted by state executive branch agencies and officials that have the force and effect of law.

"A vote against this proposition would allow state executive branch agencies and officials to continue adopting rules and regulations that have the force and effect of law without any opportunity for the legislature to directly revoke or suspend such rules and regulations."

Sec. 3. This resolution, if approved by 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, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in the year 2022, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

#### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2415, HB 2417.**

General Government Budget: **HB 2419.**

Judiciary: **HB 2416.**

Taxation: **HB 2418.**

#### **CHANGE OF REFERENCE**

Speaker Ryckman announced the withdrawal of **SB 55** from Committee on Health and Human Services and referral to Committee on Education.

#### **MESSAGES FROM THE GOVERNOR**

February 19, 2021

*Message to the Kansas House of Representatives:*

Enclosed herewith is Executive Order No. 21-04 for your information.

EXECUTIVE ORDER NO. 21-04

Temporary relief from certain tuberculin testing requirements  
during state of disaster emergency

LAURA KELLY  
*Governor*

#### **MESSAGES FROM THE SENATE**

Announcing passage of **SB 95, SB 99, SB 204.**

#### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 95, SB 99, SB 204.**

#### **FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2191**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against the public peace; increasing criminal penalties for riot and incitement to riot in a correctional facility; amending K.S.A. 2020 Supp. 21-6201 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Bishop, Howard.

The bill passed.

**HB 2237**, AN ACT concerning economic development; relating to rural opportunity zones; extending the time period for eligibility in the loan repayment program and the income tax credit; amending K.S.A. 74-50,223 and 79-32,267 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 16; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, W. Carpenter, Clark, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Averkamp, Bergquist, Carmichael, B. Carpenter, Clayton, Delperdang, Garber, Huebert, Jacobs, Kuether, Lee-Hahn, Parker, Poetter, Sutton, Tarwater, Thomas.

Present but not voting: None.

Absent or not voting: Bishop, Howard.

The bill passed.

**HB 2254**, AN ACT concerning funeral arrangements; relating to prearranged funeral agreements; increasing the monetary cap on irrevocable agreements; amending K.S.A. 2020 Supp. 16-303 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Bishop, Howard.

The bill passed, as amended.

**HB 2262**, AN ACT concerning health and healthcare; relating to preparation of bodies for a funeral or cremation; cremation documentation requirements; removing the requirement to provide a permit to cremate in certain circumstances; authorizing electronic permits to cremate; eliminating certain funeral director monthly reporting requirements; amending K.S.A. 65-1762 and 65-2426a and repealing the existing sections; also repealing K.S.A. 65-2429, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Averkamp.

Present but not voting: None.

Absent or not voting: Bishop, Howard.

The bill passed, as amended.

**SB 27**, AN ACT concerning health and environment; relating to the Kansas storage tank act; increasing the limit of certain liability amounts; reimbursements; extending the

existence of the underground fund, aboveground fund, UST redevelopment fund and the UST redevelopment fund compensation advisory board; amending K.S.A. 65-34,105, 65-34,118, 65-34,119, 65-34,120, 65-34,123, 65-34,128, 65-34,134 and 65-34,139 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Bishop, Howard.

The bill passed.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Adam Smith in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Adam Smith, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2192**, **HB 2243** be passed.

Committee report to **HB 2078** be adopted.

Also, on motion of Rep. Parker to amend **HB 2078**, the motion did not prevail, and the bill be passed as amended.

**HB 2052** be passed over and retain a place on the calendar.

Committee report to **HB 2093** be adopted; and the bill be passed as amended.

Committee report to **HB 2136** be adopted; and the bill be passed as amended.

Committee report to **HB 2052** be adopted.

Also, on motion by Rep. Jennings to amend **HB 2052**, the amendment was withdrawn.

Also, on motion of Rep. Hoffman, **HB 2052** be amended as Further Amended by House Committee, on page 1, in line 19, by striking all after "legislators"; in line 20, by striking all before the period;

On page 1, in the title, in line 2, by striking all after "legislators"; in line 3, by striking all before the semicolon and the bill be passed as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2214** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2275** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Corrections and Juvenile Justice** recommends **HB 2277** be amended on page 4, following line 37, by inserting:

"Sec. 2. K.S.A. 2020 Supp. 21-5701 is hereby amended to read as follows: 21-5701. As used in K.S.A. 2020 Supp. 21-5701 through 21-5717, and amendments thereto: (a) "Controlled substance" means any drug, substance or immediate precursor included in any of the schedules designated in K.S.A. 65-4105, 65-4107, 65-4109, 65-4111 and 65-4113, and amendments thereto.

(b) (1) "Controlled substance analog" means a substance that is intended for human consumption, and at least one of the following:

(A) The chemical structure of the substance is substantially similar to the chemical structure of a controlled substance listed in or added to the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto;

(B) the substance has a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto; or

(C) with respect to a particular individual, such individual represents or intends the substance to have a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance included in the schedules designated in K.S.A. 65-4105 or 65-4107, and amendments thereto.

(2) "Controlled substance analog" does not include:

(A) A controlled substance;

(B) a substance for which there is an approved new drug application; or

(C) a substance with respect to which an exemption is in effect for investigational use by a particular person under section 505 of the federal food, drug, and cosmetic act, 21 U.S.C. § 355, to the extent conduct with respect to the substance is permitted by the exemption.

(c) "Cultivate" means the planting or promotion of growth of five or more plants that contain or can produce controlled substances.

(d) "Distribute" means the actual, constructive or attempted transfer from one person to another of some item whether or not there is an agency relationship. "Distribute" includes, but is not limited to, sale, offer for sale or any act that causes some item to be transferred from one person to another. "Distribute" does not include acts of administering, dispensing or prescribing a controlled substance as authorized by the pharmacy act of the state of Kansas, the uniform controlled substances act or otherwise authorized by law.

(e) "Drug" means:

(1) Substances recognized as drugs in the official United States pharmacopeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them;

(2) substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;

(3) substances, other than food, intended to affect the structure or any function of the body of humans or animals; and

(4) substances intended for use as a component of any article specified in paragraph (1), (2) or (3). It does not include devices or their components, parts or accessories.

(f) "Drug paraphernalia" means all equipment and materials of any kind that are used, or primarily intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance and in violation of this act. "Drug paraphernalia" shall include, but is not limited to:

(1) Kits used or intended for use in planting, propagating, cultivating, growing or harvesting any species of plant that is a controlled substance or from which a controlled substance can be derived;

(2) kits used or intended for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances;

(3) isomerization devices used or intended for use in increasing the potency of any species of plant that is a controlled substance;

(4) testing equipment used or intended for use in identifying or in analyzing the strength, effectiveness or purity of controlled substances;

(5) scales and balances used or intended for use in weighing or measuring controlled substances;

(6) diluents and adulterants, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose and lactose that are used or intended for use in cutting controlled substances;

(7) separation gins and sifters used or intended for use in removing twigs and seeds from or otherwise cleaning or refining marijuana;

(8) blenders, bowls, containers, spoons and mixing devices used or intended for use in compounding controlled substances;

(9) capsules, balloons, envelopes, bags and other containers used or intended for use in packaging small quantities of controlled substances;

(10) containers and other objects used or intended for use in storing or concealing controlled substances;

(11) hypodermic syringes, needles and other objects used or intended for use in parenterally injecting controlled substances into the human body;

(12) objects used or primarily intended or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish, hashish oil, phencyclidine (PCP), methamphetamine or amphetamine into the human body, such as:

(A) Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;

(B) water pipes, bongs or smoking pipes designed to draw smoke through water or another cooling device;

(C) carburetion pipes, glass or other heat resistant tubes or any other device used, intended to be used or designed to be used to cause vaporization of a controlled substance for inhalation;

- (D) smoking and carburetion masks;
- (E) roach clips, objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;
- (F) miniature cocaine spoons and cocaine vials;
- (G) chamber smoking pipes;
- (H) carburetor smoking pipes;
- (I) electric smoking pipes;
- (J) air-driven smoking pipes;
- (K) chillums;
- (L) bongs;
- (M) ice pipes or chillers;
- (N) any smoking pipe manufactured to disguise its intended purpose;
- (O) wired cigarette papers; or
- (P) cocaine freebase kits.

"Drug paraphernalia" shall not include any products, chemicals or materials described in K.S.A. 2020 Supp. 21-5709(a), and amendments thereto.

(g) "Immediate precursor" means a substance that the state board of pharmacy has found to be and by rules and regulations designates as being the principal compound commonly used or produced primarily for use and that is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail or limit manufacture.

(h) "Isomer" means all enantiomers and diastereomers.

(i) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a controlled substance either directly or indirectly or by extraction from substances of natural origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis. "Manufacture" does not include:

(1) The preparation or compounding of a controlled substance by an individual for the individual's own lawful use or the preparation, compounding, packaging or labeling of a controlled substance:

(A) By a practitioner or the practitioner's agent pursuant to a lawful order of a practitioner as an incident to the practitioner's administering or dispensing of a controlled substance in the course of the practitioner's professional practice; or

(B) by a practitioner or by the practitioner's authorized agent under such practitioner's supervision for the purpose of or as an incident to research, teaching or chemical analysis or by a pharmacist or medical care facility as an incident to dispensing of a controlled substance; or

(2) the addition of diluents or adulterants, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose or lactose that are intended for use in cutting a controlled substance.

(j) "Marijuana" means all parts of all varieties of the plant Cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. "Marijuana" does not include: (1) The mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil or cake or the sterilized seed of the plant

that is incapable of germination; (2) any substance listed in schedules II through V of the uniform controlled substances act; (3) cannabidiol (other trade name: 2-[(3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol); or (4) industrial hemp as defined in K.S.A. 2020 Supp. 2-3901, and amendments thereto, when cultivated, produced, possessed or used for activities authorized by the commercial industrial hemp act.

(k) "Minor" means a person under 18 years of age.

(l) "Narcotic drug" means any of the following whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis:

(1) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate;

(2) any salt, compound, isomer, derivative or preparation thereof that is chemically equivalent or identical with any of the substances referred to in paragraph (1) but not including the isoquinoline alkaloids of opium;

(3) opium poppy and poppy straw;

(4) coca leaves and any salt, compound, derivative or preparation of coca leaves and any salt, compound, isomer, derivative or preparation thereof that is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves that do not contain cocaine or ecgonine.

(m) "Opiate" means any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. "Opiate" does not include, unless specifically designated as controlled under K.S.A. 65-4102, and amendments thereto, the dextrorotatory isomer of 3-methoxy-n-methylmorphinan and its salts (dextromethorphan). "Opiate" does include its racemic and levorotatory forms.

(n) "Opium poppy" means the plant of the species *Papaver somniferum* L. except its seeds.

(o) "Person" means an individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership, association or any other legal entity.

(p) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

~~(q) "Possession" means having joint or exclusive control over an item with knowledge of and intent to have such control or knowingly keeping some item in a place where the person has some measure of access and right of control.~~

(†) "School property" means property upon which is located a structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades one through 12. This definition shall not be construed as requiring that school be in session or that classes are actually being held at the time of the offense or that children must be present within the structure or on the property during the time of any alleged criminal act. If the structure or property meets the above definition, the actual use of that structure or property at the time alleged shall not be a defense to the crime charged or the sentence imposed.

~~(†)(r)~~ "Simulated controlled substance" means any product that identifies itself by a common name or slang term associated with a controlled substance and that indicates

on its label or accompanying promotional material that the product simulates the effect of a controlled substance.";

Also on page 4, in line 38, by striking "is" and inserting "and 21-5701 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "21-5111" by inserting "and 21-5701"; in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2162** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Elections** recommends **HB 2355** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Health and Human Services** recommends **HB 2234** be passed.

Committee on **Health and Human Services** recommends **HB 2209** be amended on page 23, in line 3, after "after" by inserting "January 1, 2022, and"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2259** be amended on page 2, following line 7, by inserting:

"(4) A child who is 16 years of age or older may consent to receive expedited partner therapy when no parent or guardian is immediately available."; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2279** be amended on page 16, in line 23, by striking the second "or"; in line 25, after "certificate" by inserting "or as part of an application by a physical therapist licensed in a home state for compact privilege to practice in Kansas under the physical therapy licensure compact";

On page 17, in line 6, by striking "licensure compact" and inserting "practice act"; following line 6, by inserting:

"Sec. 3. K.S.A. 65-2912 is hereby amended to read as follows: 65-2912. (a) The board may refuse to grant a license to any physical therapist or a certificate to any physical therapist assistant, ~~or~~ may suspend or revoke the license or compact privilege of any licensed physical therapist or certificate or compact privilege of any certified physical therapist assistant, ~~or~~ may limit the license or compact privilege of any licensed physical therapist or certificate or compact privilege of any certified physical therapist assistant or may censure a licensed physical therapist or certified physical therapist assistant for any of the following grounds:

(1) Addiction to or distribution of intoxicating liquors or drugs for other than lawful purposes;

(2) conviction of a felony if the board determines, after investigation, that the physical therapist or physical therapist assistant has not been sufficiently rehabilitated to warrant the public trust;

(3) obtaining or attempting to obtain licensure or certification by fraud or deception;

(4) finding by a court of competent jurisdiction that the physical therapist or physical therapist assistant is a disabled person and has not thereafter been restored to legal capacity;

(5) unprofessional conduct as defined by rules and regulations adopted by the

board;

(6) the treatment or attempt to treat ailments or other health conditions of human beings other than by physical therapy and as authorized by this act;

(7) failure to refer patients to other ~~health care~~ healthcare providers if symptoms are present for which physical therapy treatment is inadvisable or if symptoms indicate conditions for which treatment is outside the scope of knowledge of the licensed physical therapist;

(8) evaluating or treating patients in a manner not consistent with K.S.A. 65-2921, and amendments thereto; and

(9) knowingly submitting any misleading, deceptive, untrue or fraudulent misrepresentation on a claim form, bill or statement.

(b) All proceedings pursuant to article 29 of chapter 65 of the Kansas Statutes Annotated, and ~~acts amendatory of the provisions thereof or supplemental amendments~~ thereto, shall be conducted in accordance with the provisions of the Kansas administrative procedure act and shall be reviewable in accordance with the Kansas judicial review act.";

Also on page 17, in line 23, after "K.S.A." by inserting "65-2912,";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "K.S.A." by inserting "65-2912,"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2154**, **HB 2363** be passed.

Committee on **Judiciary** recommends **HB 2292** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Judiciary** recommends **HB 2390** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Judiciary** recommends **HB 2227** be amended on page 1, in line 32, after "(d)" by inserting "(1) For a deadline or time limitation that was extended or suspended because of an order issued pursuant to subsection (a), on the date such order terminates, a person shall have the same number of days to comply with the deadline or time limitation as the person had when the deadline or time limitation was extended or suspended; and

(2) for a deadline or time limitation that did not begin to run because of an order issued pursuant to subsection (a), on the date such order terminates, a person shall have the full period provided by law to comply with the deadline or time limitation.

(e)"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2228** be amended on page 1, in line 10, after the first "county" by inserting "sheriff's office";

On page 3, in line 9, after "licensed" by inserting "or operated by a physician, physician assistant or registered nurse licensed";

On page 4, in line 16, after "county" by inserting "sheriff's office"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2369** be amended on page 1, in line 21, by striking "as"; in line 22, by striking all before the first "the" and inserting "or other designee of";

On page 3, in line 6, after "and" by inserting ", except as provided in subsection (a) (8)."; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2213, HB 2238** be passed.

Committee on **Taxation** recommends **SB 21** be passed.

Committee on **Transportation and Public Safety Budget** recommends **HB 2270** be passed.

Committee on **Transportation** recommends **HB 2247** be amended on page 1, in line 7, by striking "COI" and inserting "COII"; in line 10, by striking "COI" and inserting "COII"; following line 11, by inserting:

"Sec. 2. Bridge no. 54-88-17.86 (013) located on United States highway 54 in Seward county is hereby designated as the Jack Taylor memorial bridge. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate the bridge is the Jack Taylor memorial bridge.

Sec. 3. Bridge no. 54-88-17.87 (006) located on United States highway 54 in Seward county is hereby designated as the Max Zimmerman memorial bridge. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate the bridge is the Max Zimmerman memorial bridge.

Sec. 4. Bridge no. 0081-B0058 located on United States highway 77 in Riley county is hereby designated as the PFC Loren H Larson memorial bridge. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate that the bridge is the PFC Loren H Larson memorial bridge.

Sec. 5. Bridge no. 0018-0089 located on United States highway 166 in Cowley county is hereby designated as the SGT Tyler A Juden memorial bridge. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs to indicate the bridge is the SGT Tyler A Juden memorial bridge.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 2, by striking "COI" and inserting "COII"; also in line 2, after the second "highway" by inserting "; designating bridges on U.S. highway 54 as the Jack Taylor memorial bridge and the Max Zimmerman memorial bridge; designating a bridge on United States highway 77 as the PFC Loren H Larson memorial bridge; designating a bridge on United States highway 166 as the SGT Tyler A Juden memorial bridge"; and the bill be passed as amended.

## **REPORT ON ENGROSSED BILLS**

**HB 2254, HB 2262** reported correctly engrossed February 23, 2021.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Thursday, February 25, 2021.

# Journal of the House

## THIRTY-THIRD DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, February 25, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 124 members present.

Rep. Howard was excused on verified illness.

Prayer by Chaplain Brubaker,

Almighty God,  
For this day that You have created,  
we are thankful and desire to make it count.  
Whatever the demands that face us today  
remind us often that nothing is too difficult for You.  
We are amazed that You would choose us  
to accomplish Your purposes.  
Help our leaders to not fear their limitations  
or measure the day's demands against their strength.  
In their weaknesses, Your power is made strong.  
Help them to realize that they can do all things  
through You who strengthens them.  
May they rely upon Your power and strength.  
This I pray in Your name, Amen.

The Pledge of Allegiance was led by Rep. Bergquist.

### **PERSONAL PRIVILEGE**

There being no objection, the following remarks of Rep. Ballard are spread upon the Journal:

It is my honor and privilege to stand before you this morning to recognize my friend of many years. Information in my presentation was taken from an article in the Lawrence Journal-World in December of 2017 written by Joanna Hlavacek. I also wish to acknowledge assistance from Travis Vathauer.

Leonard Monroe knew he could run. He ran the quarter mile in just 48.9 seconds, 2<sup>nd</sup> fastest time in the state, while at Liberty Memorial High School in Lawrence. He thought his talent would impress the track and field coaching staff at the University of Kansas. He wanted to attend there even after being offered scholarships elsewhere. But this was 1951 and Monroe was black.

On the first day of practice, head track coach Bill Easton told him there was no chance of him ever competing as a Jayhawk. "He said, 'You'll never run for me,'"

Monroe recalled to the Journal-World in 2015. "I was heartbroken, it was pitiful."

Leonard's rejection from KU's track and field team was hardly his first brush with racism in Lawrence. As a student at Liberty Memorial High School, he competed on a separate, all-black high school basketball team called the Lawrence Promoters. Jim Crow laws kept sports leagues segregated until 1950, Leonard's senior year.

He turned down numerous track scholarships to black colleges because he dreamed of running at KU. Schools with majority white enrollments were not keen in those days to offer scholarships to black athletes – if they allowed them to play at all.

If he was going to do anything with his life, he felt he had to go into the service. And that is what he did.

Heartbroken after his encounter with Coach Easton, Leonard dropped out of KU and enlisted in the US Air Force. He served in both the Korean and Vietnam wars, and found himself stationed in Japan, Europe, Vietnam, and later New Mexico, where he met his future wife, Jackie.

After 23 years in the Air Force, Leonard retired and moved back to Lawrence, where he spent another 23 years working as the city's supervisor of vehicle maintenance until retiring in 2000.

Leonard overcame adversity his entire life but did not hold grudges or bitterness. Despite his rejection, Leonard remained a lifetime Jayhawk fan. He cheered for KU baseball as his son played centerfield for the 1993 KU team that reached the College World Series. He forged a friendship with Roy Williams, during his tenure as basketball coach. Yet he never brought up his own rejection from the Athletic Department.

It took someone outside the family to make good on Leonard's connections and get him the athletics letter he so rightly deserved. A family friend contacted KU Athletics after hearing about Leonard's passing in 2017 at 86 years old. Numerous former KU athletes reached out, and the response from the current KU track coach, Stanley Redwine, was almost immediate. The K Club presented a chenille letter "K" and a letter written by its Senior Director, to his daughter, Maria, on the morning of his funeral.

Leonard loved people, and his funeral was evidence of that. The service at St. Luke AME Church was standing room only. When Maria read the K Club letter aloud, emotion filled the room, with clapping and cheering.

"I think he would have been proud that justice was served," his daughter Maria said. "And proud to be a member, an official member, of the KU athletics community he so adored."

"I wish he would have known that that had happened," his son Michael said, "But I think he does know, somewhere, what happened."

Leonard was the father of six children: Michael, LeAnette, Linda, Darryl, Doria, and Maria, and nine grandchildren. I believe he would proudly say his family was his greatest achievement.

My tribute to Leonard Monroe is about the past and present. It is about the injustice of one person enduring a wrong and another person, involving others, making it right. It is about caring, kindness, and justice. It is about "Doing unto others as you would have them do unto you."

A quote from Dr. Martin Luther King:

"There comes a time when one must take a position that is neither safe, nor politic, nor popular, but she or he must take it because conscience tells us it is right."

We need more caring, kindness, and forgiveness. Leonard Monroe demonstrated all three. I believe Leonard would have the biggest smile on his face. After all these years, his dream came true.

To his family and friends, watching this on YouTube, know that we in the Kansas House of Representatives are proud to recognize Leonard H. Monroe during Black History Month.

Rep. Ballard will be presenting the family of Mr. Monroe with a House certificate at a later date.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2422**, AN ACT concerning marriage; requiring persons to be 18 years of age to be eligible to give consent for marriage; eliminating exceptions thereto; amending K.S.A. 2020 Supp. 23-2505 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2423**, AN ACT concerning property taxation; authorizing continuation of the statewide levy for schools and the exemption of a portion of residential property from such levy; amending K.S.A. 79-201x and K.S.A. 2020 Supp. 72-5142 and repealing the existing sections, by Committee on Taxation.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Judiciary: **HCR 5014, SB 204.**

Taxation: **HB 2420, HB 2421.**

Transportation: **SB 95, SB 99.**

## CONSENT CALENDAR

No objection was made to **HB 2162, HB 2275, HB 2292, HB 2355, HB 2390** appearing on the Consent Calendar for the first day.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2052**, AN ACT concerning ethics; authorizing legislative assistants and committee assistants to accept gifts from legislators; amending K.S.A. 46-235 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 5; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Henderson, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly,

Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Baker, Carmichael, Helgerson, Highberger, Parker.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2078**, AN ACT concerning criminal procedure; relating to discharge of persons not brought promptly to trial; suspension of statutory deadlines; providing guidelines for prioritizing trials; amending K.S.A. 2020 Supp. 22-3402 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 107; Nays 17; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Amberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Eplee, Estes, Featherston, Finch, Finney, Francis, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Miller, Minnix, Moser, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, W. Carpenter, Corbet, Ellis, Esau, Fairchild, French, Garber, Helmer, Houser, Jacobs, Lee-Hahn, Mason, Murphy, Rhiley, Ruiz, S., Sutton.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I am voting no on **HB 2078** because the bill clearly states that it “suspends statutory speedy trial rights” and it is “eliminating such rights in any criminal case” for up to three years. The right to a speedy trial is embedded in the fabric of our Bill of Rights and can not be suspended or eliminated by this legislative body or any legislative body. – DAVID W. FRENCH

MR. SPEAKER: I vote no on **HB 2078**. This bill suspends the right to a speedy trial until 2024, but I don’t believe we should ever suspend the Constitution. Current law requires trials for people charged with a crime to be held within 150 days of each person’s arraignment on the charge, and I believe this is a reasonable application of the 6<sup>th</sup> Amendment’s right to a speedy trial. I believe that courts in Kansas should’ve held trials remotely since covid started. The U.S Supreme Court has heard their cases

remotely. Defendants in Kansas shouldn't be deprived of their rights because of the incompetency of our judicial system. – BRETT FAIRCHILD

MR. SPEAKER: I vote no on **HB 2078** because it is yet another disruption of Constitutional civil rights by one branch of government and codified by another. While the virus has disrupted our daily lives, it is the response to the virus by government that has created greater issues in people's lives. Businesses, families, schools and this body have all made adaptations to accomplish the jobs with which we are tasked. The judicial branch could and should have done their part and not rely on the legislature to rubberstamp their shortcomings. – MICHAEL MURPHY, CHARLOTTE ESAU

MR. SPEAKER: I am voting no on **HB 2078**. I STRONGLY oppose any legislation that would suspend the constitution at the state or federal level. The constitution overrides any statutory standard. It is lunacy that the judiciary decided that in a pandemic they were going to slow their case load and leave the public in a potentially dangerous situation. Doing so eliminates due process of the accused. Following the constitution should not ever be an option, but be the guiding document to which every decision is made. The accused should always have the right to a speedy trial. – TATUM LEE-HAHN

Mr. Speaker: I vote yes on HB 2078 Bottom line legislators should not take the heat when we have to start cutting loose rapists and murderers due to some arbitrary statutory deadline. This bill has ZERO effect on our US or State Constitutional rights to speedy trial. Thank you Mr. Speaker. – Stephen Owens

MR. SPEAKER I voted NO today on **HB 2078**. I understand also how this affects a person's rights under the Kansas Constitution to a speedy and fair trail. I am voting based on the practical cost of housing a person in a jail waiting for trial. The sheriff in each county is responsible for the welfare and safety of inmates. This includes an unlimited expense for meals, reasonable comfort, health care, medicines, and nurse or doctor visits. The longer a person is confined the higher the cost. This is paid through the county budget and ultimately by county tax payers. – BILL RHILEY

**HB 2093**, AN ACT concerning motor vehicles; relating to fleeing or attempting to elude a police officer; increasing penalties thereof when operating a stolen motor vehicle, committing certain driving violations or causing a collision involving another driver; relating to evidence of intent to deprive owner of property; amending K.S.A. 2020 Supp. 8-1568 and 21-5804 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman,

Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2136**, AN ACT concerning insurance; relating to the regulation of the business thereof; updating certain definitions relating to service contracts and surplus lines insurance; interest rate calculations relating to nonforfeiture law for individual deferred annuities; application requirements for certification of utilization review organizations; requirements for out-of-state risk retention groups to do business in state; applications for registration of professional employer organizations; repealing the automobile club services act; amending K.S.A. 40-22a04, 40-22a06 and 40-4103 and K.S.A. 2020 Supp. 40-201a, 40-246i, 40-4,104, 40-22a05 and 44-1704 and repealing the existing sections; also repealing K.S.A. 40-2405, 40-2501, 40-2502, 40-2503, 40-2504, 40-2505, 40-2506, 40-2507, 40-2508, 40-2509, 40-2510, 40-2511, 40-2512 and 40-2513, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2192**, AN ACT concerning drivers' licenses; relating to replacement drivers' licenses; court services and community corrections agencies; issuance of identification certificate; use to obtain replacement driver's license; amending K.S.A. 2020 Supp. 8-246 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker,

Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2243**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; adjusting the frequency of the actuarial experience study; amending K.S.A. 74-4908 and 74-4908a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Jacobs.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Hoffman in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Hoffman, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2175** be passed.

Committee report to **HB 2244** be adopted; and the bill be passed as amended.

Committee report to **HB 2277** be adopted.

Also, on motion of Rep. Probst, **HB 2277** be amended as amended by House Committee, on page 6, in line 25, after "substances" by inserting ", excluding fentanyl testing strips" and the bill be passed as amended.

On motion of Rep. Murphy, **SB 39** be amended on page 7, in line 9, by striking "\$.25" and inserting "\$.20" and the bill be passed as amended.

Committee report to **HB 2101** be adopted; and the bill be passed as amended.

Committee report to **SB 29** be adopted; and the bill be passed as amended.

On motion of Rep. Haswood, **SB 40** be amended as amended by Senate Committee of the Whole, on page 29, in line 26, by striking "statute book" and inserting "Kansas register" and the bill be passed as amended.

### INTRODUCTION OF ORIGINAL MOTION

On emergency motion of Rep. Hawkins pursuant to House Rule 2311, **HB 2101**, **HB 2175**, **HB 2244**, **HB 2277**, **SB 29**, **SB 39** and **SB 40** were advanced to Final Action on Bills and Concurrent Resolutions.

**HB 2244**, AN ACT concerning industrial hemp; relating to the effective disposal thereof by the department of agriculture in coordination with state or local law enforcement; requiring industrial hemp processors to register with the state fire marshal; providing exemptions from regulations; allowing issuance of stop sale, use or removal orders; amending K.S.A. 2020 Supp. 2-3903 and 2-3907 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 97; Nays 27; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergquist, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, Clark, Clayton, Coleman, Collins, Concannon, Curtis, Day, Dodson, M., Donohoe, Ellis, Eplee, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Hoye, Humphries, Jennings, S. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Miller, Minnix, Moser, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Parker, F. Patton, Poskin, Probst, Proehl, Rajhes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, Bergkamp, Blex, Burris, B. Carpenter, W. Carpenter, Corbet, Croft, Delperdang, Esau, Fairchild, Garber, Houser, Howe, Huebert, Jacobs, T. Johnson, Lee-Hahn, Mason, Murphy, Owens, Penn, Poetter, Proctor, Rhiley, Sutton, Tarwater.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

#### EXPLANATION OF VOTE

MR. SPEAKER: I voted NO today on **HB 2244**. I am voting based on the logic that the Department of Agriculture is still the best agency for oversight of production and processing of this industry. The KDA has known this industry since the beginning and if this is to be treated as an Agriculture crop as originally advertised then we need it to continue in the Department of Agriculture's scope of business. We are legislating this industry out of business with all our regulation. Small businesses need less regulation not more. – BILL RHILEY

**HB 2277**, AN ACT concerning crimes, punishment and criminal procedure; relating to definitions in the Kansas criminal code; modifying the definition of possession; amending K.S.A. 2020 Supp. 21-5111 and 21-5701 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 8; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Francis, French, Gartner, Haswood, Hawkins, Helgeson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Carmichael, Fairchild, Finney, Garber, Jacobs, Lee-Hahn, Murphy, Rhiley.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2175**, AN ACT creating the Dwayne Peaslee technical training center district act, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau,

Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Fairchild, Proctor.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**SB 39**, AN ACT concerning agriculture; relating to the Kansas department of agriculture; the division of animal health; license, permit and registration renewal deadlines; calfhood vaccination tag fees; amending K.S.A. 47-1208 and K.S.A. 2020 Supp. 47-1001e, 47-1002, 47-1503, 47-1805, 47-1831 and 47-2101 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 7; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burris, Garber, Houser, Jacobs, Lee-Hahn, Rhiley, Waggoner.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

#### EXPLANATION OF VOTE

MR. SPEAKER: I vote yes on **SB 39**. Although it could be argued that this bill creates a new fee, the purpose of the fee is simply to allow the animal health commissioner to recover the actual costs of calfhood vaccination tags from those who voluntarily buy them. We were told that previously, the tags were paid for by a federal grant that has expired. Since this bill simply allows the commissioner to recover the actual costs of the tags that people choose to buy, I don't have a problem with the fee that's included in this bill. — BRETT FAIRCHILD

**HB 2101**, AN ACT concerning the university engineering initiative act; relating to goals; authorizing transfers from the expanded lottery act revenues fund for certain fiscal years; requiring certain reports to the legislature from state educational institutions, the board of regents and the secretary of commerce; amending K.S.A. 74-8768, 76-7,137 and 76-7,139 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 12; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, Burris, Ellis, Fairchild, Garber, Helmer, Howe, Jacobs, Lee-Hahn, Murphy, Poetter, Rhiley.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**SB 29**, AN ACT concerning insurance; relating to risk-based capital requirements; updating the version of instructions in effect; amending K.S.A. 2020 Supp. 40-2c01 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**SB 40**, AN ACT concerning agriculture; relating to the Kansas department of agriculture division of conservation; implementing the provisions of 2011 executive reorganization order No. 40; amending K.S.A. 2-1916, 49-605, 49-611, 49-613, 49-618, 49-620, 49-623, 82a-1602, 82a-1603, 82a-1607 and 82a-1702 and K.S.A. 2020 Supp. 2-1903, 2-1904, 2-1907, 2-1907c, 2-1908, 2-1915, 2-1930, 2-1931, 2-1933, 49-603, 49-606 and 49-621 and repealing the existing sections; also repealing K.S.A. 49-619, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Miller.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **HB 2336** be passed.

Committee on **Agriculture and Natural Resources Budget** recommends **HB 2203** be passed.

Committee on **Appropriations** recommends **HB 2094** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2094," as follows:

"Substitute for HOUSE BILL NO. 2094

By Committee on Appropriations

"AN ACT concerning public safety officers, military personnel and prisoners of war; expanding educational benefits for spouses and dependents of such officers and personnel who are injured while performing service-related duties; amending K.S.A. 75-4364 and repealing the existing section."; and the substitute bill be passed.

(**Sub HB 2094** was thereupon introduced and read by title.)

Committee on **Children and Seniors** recommends **HB 2149** be amended on page 4, in line 34, by striking all after "(k)"; by striking all in lines 35 through 40; in line 41, by striking all before the period and inserting "(1) Except as provided in paragraph (2), at

the discretion of an internal panel established by the Kansas department for children and families in rules and regulations, a family foster home, as defined in K.S.A. 38-134, and amendments thereto, that is licensed by or is applying for licensure with the department may be exempted from the provisions of subsection (a)(1), (a)(2) or (a)(8) if such panel determines that such exemption:

(A) Is in the best interest of a child in custody of the secretary who is or will be under the care of the family foster home; and

(B) does not present a safety concern.

(2) The panel shall not grant an exemption when a person who resides, works or regularly volunteers at the family foster home has a conviction for a:

(A) Severity level 1 through 5 felony, person or nonperson;

(B) crime that involved a child victim; or

(C) drug severity level 1 through 3 felony.

(3) At least 10 days prior to the final decision of the internal panel to grant the exemption, the secretary shall provide a written notice of the pending exemption to the county or district attorney in the judicial district where the conviction occurred";

On page 1, in the title, in line 2, by striking "child"; in line 3, by striking "care facility" and inserting "family foster home"; in line 4, by striking all following "of"; in line 5, by striking "families" and inserting "an internal panel established by the Kansas department for children and families; notice to county or district attorney"; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2297, HB 2298, HB 2231** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2391** be amended on page 22, in line 19, after the period by inserting "It is permissible to file at one time the biennial report information for more than one limited liability company or series, regardless of whether the formation documents were filed in an even-numbered or odd-numbered year, provided that all the reports shall be filed in the first year a biennial report is due under this law and in odd-numbered years thereafter."; in line 29, after "information" by inserting "for each limited liability company or series";

On page 23, in line 21, by striking the third "the" and inserting "each"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2374** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2146** be amended by striking all on page 3 and inserting:

SENTENCING RANGE - DRUG OFFENSES

Category ↓	A	B	C	D	E	F	G	H	I
Severity Level ↓	3 + Person Felonies	2 Person Felonies	1 Person & 1 Nonperson Felonies	1. Person Felonies	3 + Nonperson Felonies	2 Nonperson Felonies	1 Nonperson Felonies	2+ Misdemeanors	1 Misdemeanor No Record
I	204 194 185	196 186 176	187 178 169	179 170 161	170 162 154	167 158 150	162 154 146	161 150 142	154 146 138
II	144 136 130	137 130 122	130 123 117	124 117 111	116 111 105	113 108 101	110 104 99	108 100 96	103 98 92
III	83 78 74	77 73 68	72 68 65	68 64 60	62 59 55	59 56 52	57 54 51	54 51 49	51 49 46
IV	51 49 46	47 44 41	43 40 37	38 34 32	32 30 28	30 28 26	23 22 20	19 18 17	16 15 14
V	36 34 32	33 30 28	28 26 24	22 20 18	18 17 16	16 15 14	14 13 12	13 12 11	12 12 11

LEGEND
Presumptive Probation
Presumptive Imprisonment

On page 4, in line 28, after "blocks" by inserting "4-C, 4-D,;" also in line 28, by striking "or"; in line 29, by striking "3-G" and inserting ", 5-B or 5-C";

On page 6, in line 25, before "4-E" by inserting "4-C, 4-D,;"

On page 1, in the title, in line 3, after the semicolon by inserting "modifying the sentence terms for certain drug offenses;" and the bill be passed as amended.

Committee on **Education** recommends **HB 2039** be amended on page 1, following line 3, by inserting:

"WHEREAS, To cultivate a commitment to civic participation and to become active members of communities, students need regular opportunities to engage in civic learning activities; and

WHEREAS, Opportunities for civic engagement must be part of a systematic approach that includes the school, classrooms, teachers and students; and

WHEREAS, The legislature supports the civic advocacy network established by the state board of education as a way to recognize exemplary schools and school districts that have made civic engagement an integral part of the school culture; and

WHEREAS, The state board of education discontinued the 60-item objective history, government and social studies assessment and implemented a subjective performance task assessment; and

WHEREAS, To assist with future educational policies designed to promote and enhance civics education in schools, some objective measurable results are necessary to assess whether all students are receiving basic civics knowledge and skills; and

WHEREAS, A free and publicly available civics practice test consisting of 20 multiple choice questions that school districts and educators may use to implement the provisions of this act can be accessed through the United States citizenship and immigration services website at <https://my.uscis.gov/prep/test/civics>.

Now, therefore:";

Also on page 1, in line 11, after "(b)" by inserting "(1)"; in line 14, after the period by inserting "Such course of instruction shall require students to pass a basic civics test, or series of tests, comprising a total of 60 questions selected randomly from the questions of the civics examination administered by the United States citizenship and immigration services. Such test or tests may be administered through the multiple choice civics practice tests provided online by the United States citizenship and immigration services."; by striking all in lines 17 through 30 and inserting:

"(2) Each accredited high school shall submit to the state board of education an annual report that provides aggregate student achievement data for the basic civics testing required pursuant to this subsection. The state board shall compile such reports, prepare a summary report and submit such report to the legislature on or before January 31 of each year. All data submitted pursuant to this paragraph shall comply with the provisions of the student data privacy act in K.S.A. 72-6312 et seq., and amendments thereto.";

Also on page 1, in line 35, by striking all after "subsection"; by striking all in line 36;

On page 2, by striking all in line 1; in line 2, by striking all before the period; and the bill be passed as amended.

Committee on **Energy, Utilities and Telecommunications** recommends **HB 2329, HB 2367** be passed.

Committee on **Energy, Utilities and Telecommunications** recommends **HB 2321** be amended on page 1, in line 20, after "(2)" by inserting "provided notice of the proposed construction and of the open house required pursuant to paragraph (4) to:

(A) All landowners and tenants of record whose land or interest therein is proposed to be acquired in connection with the construction of or is located within 660 feet of the center line of the easement where such line is proposed to be located;

(B) the governing body of the city through which such line is proposed to traverse; and

(C) the state corporation commission;

(3) at least one week prior to such open house, published notice of the time, place and subject matter of the open house in a newspaper having general circulation in the city through which such line is proposed to traverse;

(4) conducted an open house in the city through which such line is proposed to traverse that:

(A) Allows landowners who received notice of the open house to provide public comment regarding the proposed construction;

(B) has a commissioner and a staff person of the state corporation commission in attendance at such open house; and

(C) is held either on a weekend day or after 5:00 p.m. on a weekday; and (5)";

Also on page 1, in line 29, by striking all after "(d)"; by striking all in lines 30 through 33; in line 34, by striking "(e)";

On page 2, in line 1, by striking "or" and inserting a comma; in line 2, after "thereto" by inserting ", or any electric utility owned by one or more of such cooperatives"; and the bill be passed as amended.

Committee on **Energy, Utilities and Telecommunications** recommends **HB 2381** be amended on page 2, in line 27, after "and" by inserting "plan for"; also in line 27, after "infrastructure" by inserting "as part of a comprehensive strategy for vehicle fueling infrastructure that includes biofuels, alternative fuels and petroleum fuels"; and the bill be passed as amended.

Committee on **Insurance and Pensions** recommends **HB 2218** be passed.

Committee on **Insurance and Pensions** recommends **HB 2399** be reported without recommendation.

Committee on **Insurance and Pensions** recommends **HB 2405** be amended on page 1, in line 9, after "(a)" by inserting "(1) Except as provided by paragraph (2),"; in line 24, after the period by inserting "The bonds, and interest thereon, issued pursuant to this section shall be payable from moneys appropriated by the state for such purpose.";

On page 2, following line 1, by inserting:

"(2) If the interest rate, all inclusive cost, for any one or more series of revenue bonds under paragraph (1) exceeds 3.5% but does not exceed 3.75%, the Kansas development finance authority is hereby authorized to issue one or more series of revenue bonds under the Kansas development finance act in an amount necessary to provide a deposit or deposits to the Kansas public employees retirement system in a total amount not to exceed \$500,000,000 plus all amounts required to pay the cost of issuance of the bonds, including any credit enhancement, interest costs and provide any required reserves for the bonds. No bonds shall be issued until such issuance has been

approved by a resolution of the state finance council. The principal amount, interest rates and final maturity of such revenue bonds and any bonds issued to refund such bonds or parameters for such principal amount, interest rates and final maturity shall be approved by a resolution of the state finance council, except that, for any one or more series of revenue bonds issued pursuant to this section, such interest rate, all inclusive cost, shall not exceed 3.75%. The bonds, and interest thereon, issued pursuant to this section shall be payable from moneys appropriated by the state for such purpose. The bonds, and interest thereon, issued pursuant to this section shall be obligations only of the authority and in no event shall such bonds constitute an indebtedness or obligation of the Kansas public employees retirement system or an indebtedness or obligation for which the faith and credit or any assets of the system are pledged. Neither the state nor the department of administration shall have the power to pledge the full faith and credit or taxing power of the state for debt service on any bonds issued pursuant to this section, and any payment by the department for such purpose shall be subject to and dependent on appropriations by the legislature. Any obligation of the state or the department for payment of debt service on bonds issued pursuant to this section shall not be considered a debt or obligation of the state for the purpose of section 6 of article 11 of the constitution of the state of Kansas."; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2153**, **HB 2264**, **HB 2362** be passed.

Committee on **Judiciary** recommends **HB 2126** be amended on page 1, in line 10, by striking "Adult care" and inserting "Covered"; in line 11, before "an" by inserting ":

(1)";

Also on page 1, in line 13, by striking "adult care" and inserting "covered"; in line 16, after "participants" by inserting ";

(2) a "community mental health center" and a "crisis intervention center" as defined in K.S.A. 2020 Supp. 39-2002, and amendments thereto; and

(3) a "community service provider," a "community developmental disability organization" and an "institution" as defined in K.S.A. 2020 Supp. 39-1803, and amendments thereto";

On page 3, in line 1, by striking all after the comma; in line 2, by striking "care" and inserting "a covered"; in line 3, by striking ", administrative fines or penalties"; in line 20, before the period by inserting "if such facility was in substantial compliance with public health directives applicable to the activity giving rise to the cause of action when the cause of action accrued"; in line 21, by striking all after "(b)"; by striking all in line 22; in line 23, by striking all before the period and inserting "As used in this section, "public health directives" means any of the following that are required by law to be followed related to COVID-19:

(1) State statutes or rules and regulations; or

(2) federal statutes or regulations from federal agencies, including the United States centers for disease control and prevention and the occupational safety and health administration of the United States department of labor";

Also on page 3, in line 25, after "decision" by inserting "giving rise to the cause of action"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2377** be amended on page 6, in line 17, after "subsection" by inserting "prior to March 1, 2022";

On page 9, in line 5, after "subsection" by inserting "prior to March 1, 2022";

On page 20, in line 8, after "regulations" by inserting "prior to March 1, 2022,"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2387** be amended on page 1, in line 8, before "Section" by inserting "New"; on page 2, in line 22, by striking "did"; by striking all in line 23 and inserting "is prohibited from operating an aircraft."; in line 24, by striking all after "(A)"; by striking all in lines 25 through 28 and inserting "By a court order pursuant to this section; or"; in line 29, by striking all after "(B)"; by striking all in lines 30 through 36; in line 37, by striking all before the period and inserting "because such person's pilot license is revoked or suspended by an order of the federal aviation administration for a prior alcohol or drug-related conviction"; by striking all in lines 38 through 43;

On page 3, by striking all in lines 1 through 4; in line 24, before "Sec." by inserting "New";

On page 6, in line 21, after "(p)" by inserting "(1) The testing and method of testing consented to under this section shall not be considered to have been conducted for any medical care or treatment purpose. The results of such test, the person's name whose bodily substance is drawn or tested, the location of the test or procedure, the names of all health care providers and personnel who participated in the procedure or test and the date and time of the test or procedure are required by law to be provided to the requesting law enforcement officer or the law enforcement officer's designee after the requesting law enforcement officer has complied with this section.

(2) All costs of conducting any procedure or test requested by a law enforcement agency and authorized by this section, including the costs of the evidence collection kits, shall be charged to and paid by the county where the alleged offense was committed. Such county may be reimbursed such costs upon the costs being paid by the defendant as court costs assessed pursuant to K.S.A. 28-172a, and amendments thereto.

(3) The cost assessed under this section shall be the then-current medicaid rate for any such procedure or test, or both.

(4) Notwithstanding any other law to the contrary, the collection and delivery of the sample and required information to the law enforcement officer pursuant to this section shall not be subject to the physician-patient privilege or any other law that prohibits the transfer, release or disclosure of the sample or of the required information.

(q) No medical care facility, clinical laboratory, medical clinic, other medical institution, person licensed to practice medicine or surgery, person acting under the direction of any such licensed person, licensed physician assistant, registered nurse, licensed practical nurse, medical technician, paramedic, advanced emergency medical technician, phlebotomist, healthcare provider or person who participates in good faith in the obtaining, withdrawal, collection or testing of blood, breath, urine or other bodily substance at the direction of a law enforcement officer pursuant to this section, or as otherwise authorized by law, shall incur any civil, administrative or criminal liability as a result of such participation, regardless of whether or not the patient resisted or objected to the administration of the procedure or test.

(r);

Also on page 6, in line 24, before "Sec." by inserting "New";

On page 7, in line 4, before "Sec." by inserting "New"; following line 27, by inserting:

"Sec. 5. K.S.A. 2020 Supp. 22-3437 is hereby amended to read as follows: 22-

3437. (a) (1) In any hearing or trial, a report concerning forensic examinations and certificate of forensic examination executed pursuant to this section shall be admissible in evidence if the report and certificate are prepared and attested by a criminalist or other employee of the Kansas bureau of investigation, Kansas highway patrol, Johnson County sheriff's laboratory, Sedgwick County regional forensic science center, or any laboratory of the federal bureau of investigation, federal postal inspection service, federal bureau of alcohol, tobacco and firearms or federal drug enforcement administration. If the examination involves a breath test for alcohol content, the report must also be admissible pursuant to K.S.A. 8-1001, and amendments thereto, or section 2, and amendments thereto, and be conducted by a law enforcement officer or other person who is certified by the department of health and environment as a breath test operator as provided by K.S.A. 65-1,107 et seq., and amendments thereto.

(2) Upon the request of any law enforcement agency, such person as provided in paragraph (1) performing the analysis shall prepare a certificate. Such person shall sign the certificate under oath and shall include in the certificate an attestation as to the result of the analysis. The presentation of this certificate to a court by any party to a proceeding shall be evidence that all of the requirements and provisions of this section have been complied with. This certificate shall be supported by a written declaration pursuant to K.S.A. 53-601, and amendments thereto, or shall be sworn to before a notary public or other person empowered by law to take oaths and shall contain a statement establishing the following: The type of analysis performed; the result achieved; any conclusions reached based upon that result; that the subscriber is the person who performed the analysis and made the conclusions; the subscriber's training or experience to perform the analysis; the nature and condition of the equipment used; and the certification and foundation requirements for admissibility of breath test results, when appropriate. When properly executed, the certificate shall, subject to the provisions of paragraph (3) and notwithstanding any other provision of law, be admissible evidence of the results of the forensic examination of the samples or evidence submitted for analysis and the court shall take judicial notice of the signature of the person performing the analysis and of the fact that such person is that person who performed the analysis.

(3) Whenever a party intends to proffer in a criminal or civil proceeding, a certificate executed pursuant to this section, notice of an intent to proffer that certificate and the reports relating to the analysis in question, including a copy of the certificate, shall be conveyed to the opposing party or parties at least 21 days before the beginning of a hearing where the proffer will be used. An opposing party who intends to object to the admission into evidence of a certificate shall give notice of objection and the grounds for the objection within 14 days upon receiving the adversary's notice of intent to proffer the certificate. Whenever a notice of objection is filed, admissibility of the certificate shall be determined not later than two days before the beginning of the trial. A proffered certificate shall be admitted in evidence unless it appears from the notice of objection and grounds for that objection that the conclusions of the certificate, including the composition, quality or quantity of the substance submitted to the laboratory for analysis or the alcohol content of a blood or breath sample will be contested at trial. A failure to comply with the time limitations regarding the notice of objection required by this section shall constitute a waiver of any objections to the admission of the certificate. The time limitations set forth in this section may be extended upon a

showing of good cause.

(b) (1) In any hearing or trial where there is a report concerning forensic examinations from a person as provided in ~~paragraph (1)~~ of subsection (a)(1), district and municipal courts may, upon request of either party, use two-way interactive video technology, including internet-based videoconferencing, to take testimony from that person if the testimony is in relation to the report.

(2) The use of any two-way interactive video technology must be in accordance with any requirements and guidelines established by the office of judicial administration, and all proceedings at which such technology is used in a district court must be recorded verbatim by the court.

Sec. 6. K.S.A. 2020 Supp. 60-427 is hereby amended to read as follows: 60-427.

(a) As used in this section:

(1) "Patient" means a person who, for the sole purpose of securing preventive, palliative, or curative treatment, or a diagnosis preliminary to such treatment, of such person's physical or mental condition, consults a physician, or submits to an examination by a physician.

(2) "Physician" means a person licensed or reasonably believed by the patient to be licensed to practice medicine or one of the healing arts as defined in K.S.A. 65-2802, and amendments thereto, in the state or jurisdiction in which the consultation or examination takes place.

(3) "Holder of the privilege" means the patient while alive and not under guardianship or conservatorship or the guardian or conservator of the patient, or the personal representative of a deceased patient.

(4) "Confidential communication between physician and patient" means such information transmitted between physician and patient, including information obtained by an examination of the patient, as is transmitted in confidence and by a means which, so far as the patient is aware, discloses the information to no third persons other than those reasonably necessary for the transmission of the information or the accomplishment of the purpose for which it is transmitted.

(b) Except as provided by subsections (c), (d), (e) and (f), a person, whether or not a party, has a privilege in a civil action or in a prosecution for a misdemeanor, other than a prosecution for a violation of K.S.A. 8-2,144 or 8-1567, and amendments thereto, or a city ordinance or county resolution which prohibits the acts prohibited by those statutes, to refuse to disclose, and to prevent a witness from disclosing, a communication, if the person claims the privilege and the judge finds that: (1) The communication was a confidential communication between patient and physician; (2) the patient or the physician reasonably believed the communication necessary or helpful to enable the physician to make a diagnosis of the condition of the patient or to prescribe or render treatment therefor; (3) the witness (i) is the holder of the privilege, (ii) at the time of the communication was the physician or a person to whom disclosure was made because reasonably necessary for the transmission of the communication or for the accomplishment of the purpose for which it was transmitted or (iii) is any other person who obtained knowledge or possession of the communication as the result of an intentional breach of the physician's duty of nondisclosure by the physician or the physician's agent or servant; and (4) the claimant is the holder of the privilege or a person authorized to claim the privilege for the holder of the privilege.

(c) There is no privilege under this section as to any relevant communication

between the patient and the patient's physician: (1) Upon an issue of the patient's condition in an action to commit the patient or otherwise place the patient under the control of another or others because of alleged incapacity or mental illness, in an action in which the patient seeks to establish the patient's competence or in an action to recover damages on account of conduct of the patient which constitutes a criminal offense other than a misdemeanor; (2) upon an issue as to the validity of a document as a will of the patient; or (3) upon an issue between parties claiming by testate or intestate succession from a deceased patient.

(d) There is no privilege under this section in an action in which the condition of the patient is an element or factor of the claim or defense of the patient or of any party claiming through or under the patient or claiming as a beneficiary of the patient through a contract to which the patient is or was a party.

(e) There is no privilege under this section: (1) As to blood drawn at the request of a law enforcement officer pursuant to K.S.A. 8-1001, and amendments thereto, or section 2, and amendments thereto; and (2) as to information which the physician or the patient is required to report to a public official or as to information required to be recorded in a public office, unless the statute requiring the report or record specifically provides that the information shall not be disclosed.

(f) No person has a privilege under this section if the judge finds that sufficient evidence, aside from the communication has been introduced to warrant a finding that the services of the physician were sought or obtained to enable or aid anyone to commit or to plan to commit a crime or a tort, or to escape detection or apprehension after the commission of a crime or a tort.

(g) A privilege under this section as to a communication is terminated if the judge finds that any person while a holder of the privilege has caused the physician or any agent or servant of the physician to testify in any action to any matter of which the physician or the physician's agent or servant gained knowledge through the communication.

(h) Providing false information to a physician for the purpose of obtaining a prescription-only drug shall not be a confidential communication between physician and patient and no person shall have a privilege in any prosecution for unlawfully obtaining or distributing a prescription-only drug under K.S.A. 2020 Supp. 21-5708, and amendments thereto.

Sec. 7. K.S.A. 65-1,107 is hereby amended to read as follows: 65-1,107. The secretary of health and environment may adopt rules and regulations establishing:

(a) The procedures, testing protocols and qualifications of authorized personnel, instruments and methods used in laboratories performing tests for the presence of controlled substances included in schedule I or II of the uniform controlled substances act or metabolites thereof;

(b) the procedures, testing protocols, qualifications of personnel and standards of performance in the testing of human breath for law enforcement purposes, including procedures for the periodic inspection of apparatus, equipment and devices, other than preliminary screening devices, approved by the secretary of health and environment for the testing of human breath for law enforcement purposes;

(c) the requirements for the training, certification and periodic testing of persons who operate apparatus, equipment or devices, other than preliminary screening devices, for the testing of human breath for law enforcement purposes;

(d) criteria for preliminary screening devices for testing of breath for law enforcement purposes, based on health and performance considerations; and

(e) a list of preliminary screening devices which are approved for testing of breath for law enforcement purposes and which law enforcement agencies may purchase and train officers to use as aids in determining:

(1) Probable cause to arrest and grounds for requiring testing pursuant to K.S.A. 8-1001, and amendments thereto, or section 3, and amendments thereto; and

(2) violations of K.S.A. 41-727, and amendments thereto.

Sec. 8. K.S.A. 75-712h is hereby amended to read as follows: 75-712h. The director of the Kansas bureau of investigation is authorized to adopt rules and regulations establishing:

(a) Criteria for preliminary screening devices for testing of oral fluid for law enforcement purposes, based on health and performance considerations; and

(b) a list of preliminary screening devices that are approved for testing of oral fluid for law enforcement purposes and that law enforcement agencies may purchase and train officers to use as aids in determining probable cause to arrest and grounds for requiring testing pursuant to K.S.A. 8-1001, and amendments thereto, or section 3, and amendments thereto.;

Also on page 7, in line 28, by striking "and" and inserting a comma; also in line 28, after "3-1005" by inserting ", 65-1,107 and 75-712h and K.S.A. 2020 Supp. 22-3437 and 60-427";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the semicolon by inserting "amending K.S.A. 65-1,107 and 75-712h and K.S.A. 2020 Supp. 22-3437 and 60-427 and repealing the existing sections; also"; and the bill be passed as amended.

Committee on **Social Services Budget** recommends **HB 2250** be passed.

Committee on **Taxation** recommends **HB 2239** be amended on page 1, in line 7, after "(a)" by inserting "(1) (A)"; also in line 7, by striking "beginning"; in line 8, by striking all before "prior"; in line 12, after the period by inserting:

"(B)";

Also on page 1, in line 16, by striking all after "forward"; in line 17, by striking all before the period; also in line 17, after the period by inserting:

"(2)";

Also on page 1, in line 23, after the period by inserting:

"(3)"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 33** be passed.

Committee on **Transportation** recommends **HB 2263** be amended on page 9, in line 25, by striking "and" and inserting a comma; also in line 25, after "paths" by inserting ", trails or trail networks"; in line 26, by striking all after "(2)"; by striking all in lines 27 through 29; in line 30, by striking all before the period and inserting "This subsection shall not be construed to prevent a city, through the exercise of its home rule powers, from adopting an ordinance governing the operation of electric-assisted bicycles on streets, highways, roadways, sidewalks or sidewalk areas under the city's jurisdiction, or to prevent a municipality, county or agency of the state having jurisdiction over a bicycle or multi-use path, trail or trail network from restricting or prohibiting the operation of an electric-assisted bicycle or a specific class of electric-assisted bicycle on

a bicycle or multi-use path, trail or trail network"; in line 31, by striking all after "(3)"; by striking all in lines 32 and 33; in line 34, by striking "(4) This"; also in line 34, after "subsection" by inserting "(g)(1)"; and the bill be passed as amended.

#### **REPORT OF STANDING COMMITTEE**

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 16**, by Representative Ron Ryckman, recognizing JAG-K Day at the Capitol, February 24, 2021.

**Request No. 17**, by Representative Doug Blex, honoring Danny Scott, President of Caney Betterment Group.

**Request No. 18**, by Representative Barbara W. Ballard, honoring the memory of Leonard H. Monroe, Black History Month Honoree.

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hawkins, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

#### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2424**, AN ACT concerning the Kansas act against discrimination; relating to race; including hair texture and protective hairstyles historically associated with race; amending K.S.A. 44-1015 and K.S.A. 2020 Supp. 44-1002 and repealing the existing sections, by Committee on Federal and State Affairs.

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker Ryckman announced the appointment of Rep. Sawyer to replace Rep. Wolfe Moore on Committee on General Government Budget on February 25, 2021.

Also, the appointment of Rep. Highland to replace Rep. Corbet on Committee on Appropriations on February 26, 2021.

Also, the appointment of Rep. Lynn to replace Rep. Francis on Committee on Appropriations on February 26, 2021.

#### **REPORT ON ENGROSSED BILLS**

**HB 2052**, **HB 2078**, **HB 2093**, **HB 2136** reported correctly engrossed February 24, 2021.

On motion of Rep. Hawkins the House adjourned pro forma until 8:30 a.m. on Friday, February 26, 2021.

# Journal of the House

THIRTY-FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, February 26, 2021, 8:30 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Finch in the chair.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2422**, **HB 2424**.

Taxation: **HB 2423**.

## MESSAGES FROM THE GOVERNOR

February 23, 2021

*Message to the Kansas House of Representatives:*

Enclosed herewith is Executive Order No. 21-05 for your information.

EXECUTIVE ORDER NO. 21-05

Extending time for Kansas rural water districts to hold annual meetings  
during the COVID-19 pandemic

LAURA KELLY  
*Governor*

February 23, 2021

*Message to the Kansas House of Representatives:*

Enclosed herewith is Executive Order No. 21-06 for your information.

EXECUTIVE ORDER NO. 21-06

Temporary authorization for additional vaccinators  
during state of disaster emergency

LAURA KELLY  
*Governor*

## MESSAGE FROM THE SENATE

The Senate nonconcurrs in House amendments to **SB 29**, requests a conference and has appointed Senators Longbine, Peck and Holscher as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 39**, requests a conference and has appointed Senators Kerschen, Straub and Ware as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 40**, requests a conference and has appointed Senators Kerschen, Straub and Ware as conferees on the part of the Senate.

## REPORTS OF STANDING COMMITTEES

Committee on **Corrections and Juvenile Justice** recommends **HB 2346**, **HB 2360**, **HB 2361** be passed.

Committee on **Corrections and Juvenile Justice** recommends **HB 2349** be amended on page 1, in line 29, by striking all before the period and inserting "one year";

On page 19, in line 29, before "has" by inserting "on or after July 1, 2002, is adjudicated as a juvenile offender for an act which if committed by an adult would constitute the commission of a sexually violent crime, unless the court, on the record, finds that the act involved non-forcible sexual conduct, the victim was at least 14 years of age and the offender was not more than four years older than the victim;

(3)";

On page 21, in line 13, before "for" by inserting "or adjudication"; in line 15, before "for" by inserting "or adjudication"; in line 17, by striking all after "(18)"; by striking all in line 18; in line 19, by striking "(19)";

On page 23, in line 13, before "that" by inserting "or adjudications"; in line 16, before the period by inserting "or adjudication"; also in line 16, before "set" by inserting "or adjudication"; in line 17, before "for" by inserting "or adjudication"; in line 18, before "from" by inserting "or adjudication"; in line 19, before "for" by inserting "or adjudication";

On page 24, in line 34, by striking all after "offender"; in line 35, by striking all before "for"; in line 36, before the period by inserting "defined in subsection (t)(1)(A)";

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

On page 25, in line 7, after "is" by inserting ":

(1) A";

Also on page 25, in line 15, by striking "that:"; by striking all in lines 16 and 17; in line 18, by striking all before the period and inserting "that continues for more than 180 consecutive days. Any aggravated violation of the Kansas offender registration act that continues for more than 180 consecutive days shall, upon the 181<sup>st</sup> 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;

(2) providing a false address or an address where the offender does not reside or providing false information about the offender's employer; or

(3) failure to register if, within the immediately preceding 120 days, the offender has not registered and is not residing at the residence listed in the last registration or is not employed at the place of employment listed in the last registration";

Also on page 25, in line 21, after "(A)" by inserting "If the crime for which the offender is required to be registered under the Kansas offender registration act is a

felony:

(i)";

Also on page 25, in line 21, by striking "B" and inserting "A"; in line 22, by striking "and"; in line 23, by striking "(B)" and inserting "(ii)"; also in line 23, by striking "class A"; in line 24 by striking all before the period and inserting "severity level 8, nonperson felony; and

(iii) upon a third or subsequent conviction, a severity level 5, nonperson felony; and

(B) if the crime for which the offender is required to be registered under the Kansas offender registration act is a misdemeanor:

(i) Upon a first or second conviction, a class A nonperson misdemeanor; and

(ii) upon a third or subsequent conviction, a severity level 8, nonperson felony";

Also on page 25, in line 33, by striking "severity"; in line 34, by striking all before the period and inserting ":

(A) Severity level 7, nonperson felony, except as provided in subparagraph (B); and

(B) severity level 5, nonperson felony if the person being sentenced has a prior conviction for a violation of subsection (b)(2) or (b)(3)";

On page 26, in line 25, before "occurred" by inserting "or adjudication";

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

Also on page 26, in line 29, before "for" by inserting "or adjudication"; in line 36, before the comma by inserting "or adjudication"; in line 37, before the first comma by inserting "or adjudication"; in line 38, before the first comma by inserting "or adjudication";

On page 27, in line 2, before "and" by inserting "or adjudication"; in line 14, before the period by inserting "or adjudication";

On page 30, in line 11, before "data" by inserting "or adjudication";

On page 40, following line 23, by inserting:

"(h) Notwithstanding any other provisions of this section, for an offender less than 14 years of age who is adjudicated as a juvenile offender for an act which if committed by an adult would constitute a sexually violent crime set forth in K.S.A. 22-4902(c), and amendments thereto, the court shall:

(1) Require registration until such offender reaches 18 years of age, at the expiration of five years from the date of adjudication or, if confined, from release from confinement, whichever date occurs later. Any period of time during which the offender is incarcerated in any jail, juvenile facility or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration;

(2) not require registration if the court, on the record, finds substantial and compelling reasons therefor; or

(3) require registration, but such registration information shall not be open to inspection by the public or posted on any internet website, as provided in K.S.A. 22-4909, and amendments thereto. If the court requires registration but such registration is not open to the public, such offender shall provide a copy of such court order to the registering law enforcement agency at the time of registration. The registering law enforcement agency shall forward a copy of such court order to the Kansas bureau of investigation.

If such offender violates a condition of release during the term of the conditional

release, the court may require such offender to register pursuant to paragraph (1).

(i) Notwithstanding any other provisions of this section, for an offender 14 years of age or more who is adjudicated as a juvenile offender for an act which if committed by an adult would constitute a sexually violent crime set forth in K.S.A. 22-4902(c), and amendments thereto, and such crime is not an off-grid felony or a felony ranked in severity level 1 of the nondrug grid as provided in K.S.A. 21-4704, prior to its repeal, or K.S.A. 2020 Supp. 21-6804, and amendments thereto, the court shall:

(1) Require registration until such offender reaches 18 years of age, at the expiration of five years from the date of adjudication or, if confined, from release from confinement, whichever date occurs later. Any period of time during which the offender is incarcerated in any jail, juvenile facility or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration;

(2) not require registration if the court, on the record, finds substantial and compelling reasons therefor; or

(3) require registration, but such registration information shall not be open to inspection by the public or posted on any internet website, as provided in K.S.A. 22-4909, and amendments thereto. If the court requires registration but such registration is not open to the public, such offender shall provide a copy of such court order to the registering law enforcement agency at the time of registration. The registering law enforcement agency shall forward a copy of such court order to the Kansas bureau of investigation.

If such offender violates a condition of release during the term of the conditional release, the court may require such offender to register pursuant to paragraph (1).

(j) Notwithstanding any other provisions of this section, an offender 14 years of age or more who is adjudicated as a juvenile offender for an act which if committed by an adult would constitute a sexually violent crime set forth in K.S.A. 22-4902(c), and amendments thereto, and such crime is an off-grid felony or a felony ranked in severity level 1 of the nondrug grid as provided in K.S.A. 21-4704, prior to its repeal, or K.S.A. 2020 Supp. 21-6804, and amendments thereto, shall be required to register for such offender's lifetime.";

Also on page 40, in line 34, before "offender" by inserting "or adjudicated"; in line 37, before "in" by inserting "or adjudicated"; in line 41, before "prior" by inserting "or adjudications"; in line 43, before "on" by inserting "or adjudications";

On page 41, by striking all in lines 2 through 5; in line 7, before "by" by inserting "or adjudicated"; in line 10, before the comma by inserting "or adjudication";

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

Also on page 41, in line 32, before "and" by inserting "or adjudication"; in line 33, before the semicolon by inserting "or adjudication"; in line 34, before the semicolon by inserting "or adjudication";

On page 43, in line 23, after "conviction" by inserting "or adjudication"; in line 27, after "conviction" by inserting "or adjudication"; in line 31, after "conviction" by inserting "or adjudication"; in line 37, after "conviction" by inserting "or adjudication"; in line 38, after "convicted" by inserting "or adjudicated"; in line 39, after "conviction" by inserting "or adjudication";

On page 44, in line 6, after "conviction" by inserting "or adjudication"; in line 9, after

"conviction" by inserting "or adjudication"; in line 11, after "conviction" by inserting "or adjudication"; in line 24, after "convicted" by inserting "or adjudicated"; in line 25, after "convicted" by inserting "or adjudicated"; in line 31, after "conviction" by inserting "or adjudication"; in line 36, after "conviction" by inserting "or adjudication"; in line 38, after "convicted" by inserting "or adjudicated"; in line 40, after "convicted" by inserting ", adjudicated";

On page 45, in line 29, after "convicted" by inserting "or adjudicated";

On page 46, in line 15, by striking "(m)" and inserting "(h), (i) and (o)"; in line 43, before the semicolon by inserting "or adjudicated";

On page 47, in line 20, before "that" by inserting "or adjudication"; in line 22, before "does" by inserting "or adjudication"; in line 25, before "that" by inserting "or adjudication"; in line 27, before "that" by inserting "or adjudication"; in line 30, before "shall" by inserting "or adjudication";

On page 1, in the title, in line 5, by striking all after the semicolon; in line 6, by striking "offenders;"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2280** be amended on page 3, in line 29, by striking all after "(7)"; by striking all in lines 30 and 31; in line 32, by striking "(8)"; by striking all in lines 34 and 35;

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

On page 8, in line 36, after "practitioner" by inserting ", including, but not limited to, delivering prescription medication to a patient by mail, common carrier, personal delivery or third-party delivery to any location requested by the patient";

On page 25, in line 39, by striking all after "licensure"; in line 40, by striking all before the period and inserting ". The board shall only accept a passing score on an examination required for licensure from an applicant's first five attempts taking such examination";

On page 29, in line 11, after "prescription" by inserting "or when communicating a prescription by oral order"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2281** be amended on page 6, in line 3, by striking "and"; in line 18, after "hotline" by inserting ";

(3) provide mobile crisis response services for persons with intellectual or developmental disability; and

(4) provide mobile crisis response services for behavioral health needs";

Also on page 6, following line 22, by inserting:

"(f) Moneys in the 988 suicide prevention and mental health crisis hotline fund shall be used for the purposes set forth in this section and for no other governmental purposes. It is the intent of the legislature that the fund shall remain intact and inviolate for the purposes set forth in this section, and moneys in the fund shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.

Sec. 6. (a) There is hereby imposed a prepaid wireless 988 fee of \$0.50 per retail transaction for prepaid wireless service.

(b) The prepaid wireless 988 fee shall be collected by the seller from the consumer with respect to each retail transaction occurring in this state. The amount of the prepaid wireless 988 fee shall be separately stated on an invoice, receipt or other similar document that is provided to the consumer by the seller or otherwise disclosed to the

consumer.

(c) For purposes of subsection (b):

(1) A retail transaction that is conducted in person by a consumer in a business location of the seller shall be treated as occurring in this state if that business location is in this state; and

(2) any other retail transaction shall be treated as occurring in this state if the retail transaction is treated as occurring in this state for the purposes of K.S.A. 79-3673(c)(3), and amendments thereto.

(d) The prepaid wireless 988 fee is the liability of the consumer and not of the seller or any provider. The seller shall be liable to remit all prepaid wireless 988 fees that the seller collects from consumers pursuant to this section, including all such fees that the seller is deemed to collect where the amount of the charge has not been separately stated in an invoice, receipt or other similar document provided to the consumer by the seller.

(e) (1) If the amount of the prepaid wireless 988 fee that is collected by a seller from a consumer is separately stated on an invoice, receipt or other similar document provided to the consumer by the seller, the amount of such fee that is collected shall not be included in the base for measuring any tax, fee, surcharge or other charge that is imposed by this state, any political subdivision of this state or any intergovernmental agency.

(2) When prepaid wireless service is sold with one or more other products or services for a single, non-itemized price, the fee specified in subsection (a) shall apply to each prepaid wireless service sold in the single price, if the seller can identify the fee that is attributable to the prepaid wireless service by reasonable and verifiable standards from its books and records that are kept in the regular course of business for other purposes, including, but not limited to, non-tax purposes.

(f) Prepaid wireless 988 fees collected by sellers shall be remitted to the department of revenue by electronic filing that is consistent with the provisions of article 36 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto. The department of revenue shall establish registration and payment procedures for the collection of the prepaid wireless 988 fee.

(g) To minimize additional costs to the department of revenue, the department of revenue may conduct audits of sellers in conjunction with sales and use tax audits. The department of revenue may initiate collection or audit procedures on individual sellers if necessary.

(h) The department of revenue shall establish procedures for a seller to document that a sale is not a retail sale. Such procedures shall substantially coincide with procedures for documenting sale for resale transactions contained in article 36 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto.

(i) The department of revenue shall remit all moneys collected from payment of the prepaid wireless 988 fee to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount into the state treasury to the credit of the certified community

behavioral health clinics fund established by section 7, and amendments thereto.

(j) As used in this section, "consumer," "prepaid wireless service," "retail transaction" and "seller" mean the same as defined in K.S.A. 2020 Supp. 12-5363, and amendments thereto.

Sec. 7. (a) There is hereby established in the state treasury the certified community behavioral health clinics fund, and such fund shall be administered by the secretary for aging and disability services. Moneys in the fund shall be used for funding certified community behavioral health clinics. All expenditures from the 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 secretary for aging and disability services or the secretary's designee.

(b) The certified community behavioral health clinic fund shall be used for the purposes set forth in this section and for no other governmental purposes. It is the intent of the legislature that the fund shall remain intact and inviolate for the purposes set forth in this section, and moneys in the fund shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.";

And by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **HB 2373** be amended on page 2, in line 24, after "(c)" by inserting "The Kansas department for aging and disability services shall employ one full-time equivalent position in the unclassified service to monitor the implementation of the mobile crisis services program.

(d) The provision of mobile crisis services shall be funded by expenditures from the 988 suicide prevention and mental health crisis hotline fund established by 2021 House Bill No. 2281 or any other special revenue fund established by similar legislation passed by the legislature and enacted into law during the 2021 regular session of the legislature for the remittance of fees charged for the establishment of a 988 suicide prevention and mental health crisis hotline. Any costs related to administration of the program, including the full-time equivalent position described in subsection (c), shall not be funded by expenditures from such fund. If no such legislation is passed, then the provision of mobile crisis services shall be funded by expenditures from an appropriate state general fund account or special revenue fund of the Kansas department for aging and disability services designated by the secretary for aging and disability services.

(e)";

Also on page 2, in line 27, by striking "(d)" and inserting "(f)"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HB 2365**, **HB 2389** be passed.

Committee on **Judiciary** recommends **HB 2011** be amended on page 1, in line 12, after "appropriate" by inserting "county or"; also in line 12, by striking "or county attorney"; in line 15, before the period by inserting "at the request of a county or district attorney"; in line 22, by striking all after the first "the"; in line 24, by striking all before the second "the"; also in line 24, after the comma by inserting "or the attorney general if the county or district attorney has requested assistance from the attorney general,"; and the bill be passed as amended.

Committee on **Social Services Budget** recommends **HB 2248** be passed.

**COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Finch announced the appointment of Rep. Blake Carpenter to replace Rep. Croft on Committee on Commerce, Labor and Economic Development on February 26, 2021.

Also, the appointment of Rep. Ousley to replace Rep. Curtis on Committee on Commerce, Labor and Economic Development on February 26, 2021.

**REPORT ON ENGROSSED BILLS**

**HB 2101, HB 2244, HB 2277** reported correctly engrossed February 25, 2021.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Monday, March 1, 2021.

# Journal of the House

THIRTY-FIFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, March 1, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 124 members present.

Rep. Howard was excused on verified illness.

Prayer by Chaplain Brubaker:

Almighty God,  
Thank You for this beautiful day—  
a day closer to Spring.  
This turn-around week is going to be a busy week.  
Be with each of our leaders throughout all the  
discussion, debate and final action.  
Renew their minds, individually and collectively.  
Help them to not be conformed to divisive patterns  
but transformed by Your grace.  
Help them to not think so highly of themselves  
that they fail to be reasonable and use careful judgement.  
Remind them to discern Your will—  
that which is good, pleasing and right.  
In Your Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Stogsdill.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2425**, AN ACT concerning higher education; requiring a member of the state board of regents to be a student member; creating procedures for nomination, appointment and confirmation; establishing the term of office; relating to duties of the students' advisory committee; amending K.S.A. 74-3202a and 74-3229 and repealing the existing sections, by Committee on Appropriations.

## INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 29**.

Speaker Ryckman thereupon appointed Reps. S. Johnson, Croft and Neighbor as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 39**.

Speaker Ryckman thereupon appointed Reps. Rahjes, E. Smith and Carlin as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 40**.

Speaker Ryckman thereupon appointed Reps. Rahjes, E. Smith and Carlin as conferees on the part of the House.

### CONSENT CALENDAR

No objection was made to **HB 2162, HB 2275, HB 2292, HB 2355, HB 2390** appearing on the Consent Calendar for the second day.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Highland in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Highland, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2212, HB 2297, HB 2367, HB 2203, HB 2214, HB 2374, HB 2145, HB 2238, HB 2264, HB 2270, HB 2298, SB 33** be passed.

Committee report to **HB 2321** be adopted; and the bill be passed as amended.

On motion of Rep. Williams, **HB 2137** be amended on page 21, by striking all in lines 7 through 43;

On page 22, by striking all in lines 1 through 7; following line 7 by inserting:

"Sec. 19. K.S.A. 2020 Supp. 41-2653, as amended by section 1 of 2021 Senate Bill No. 14, is hereby amended to read as follows: 41-2653. (a) In addition to the rights of a licensee pursuant to provisions of K.S.A. 41-2637, 41-2641 or 41-2642, and amendments thereto, a class A club license, class B club license or drinking establishment license shall allow the licensee to allow legal patrons of the club or drinking establishment to remove from the licensed premises one or more opened containers of alcoholic liquor or cereal malt beverage, subject to the following conditions:

(1) It must be legal for the licensee to sell the alcoholic liquor or cereal malt beverage in its original container;

(2) the alcoholic liquor or cereal malt beverage must be in its original container;

(3) each container of alcoholic liquor or cereal malt beverage must have been purchased by a patron and the alcoholic liquor or cereal malt beverage in each container must have been partially consumed on the licensed premises;

(4) the licensee or the licensee's employee must provide the patron with a dated receipt for the unfinished container or containers of alcoholic liquor or cereal malt beverage; and

(5) before the container of alcoholic liquor or cereal malt beverage is removed from the licensed premises, the licensee or the licensee's employee must securely reseal each container, place the container in a tamper-proof, transparent bag ~~which~~ that is sealed in

a manner that makes it visibly apparent if the bag is subsequently tampered with or opened.

(b) (1) In addition to the rights of a licensee pursuant to provisions of K.S.A. 41-2637, 41-2641 or 41-2642, and amendments thereto, and the provisions of subsection (a), a class A club license, class B club license or drinking establishment license shall allow the licensee to allow legal patrons of the club or drinking establishment to remove from the licensed premises one or more containers of alcoholic liquor or cereal malt beverage that is not in the original container or is in the original unopened container, subject to the following conditions:

(A) It must be legal for the licensee to sell the alcoholic liquor or cereal malt beverage;

(B) each container of alcoholic liquor or cereal malt beverage must have been purchased by a patron on the licensed premises;

(C) the licensee or the licensee's employee must provide the patron with a dated receipt for the alcoholic liquor or cereal malt beverage; and

(D) if the alcoholic liquor or cereal malt beverage is not in the original unopened container, before the container of alcoholic liquor or cereal malt beverage is removed from the licensed premises, the licensee or the licensee's employee must place the container in a transparent bag that is sealed in a manner that makes it visibly apparent if the bag is subsequently tampered with or opened.

(2) ~~The provisions of this subsection shall expire on March 31, 2021. No licensee shall allow any alcoholic liquor or cereal malt beverage to be removed from the licensed premises pursuant to this subsection after 11 p.m.~~

(3) Beer, cereal malt beverage and wine in the original unopened container and mixed drinks not in the original container that are sold pursuant to this subsection shall not be subject to any drink size requirements of this act. Any other alcoholic liquor or cereal malt beverage that is not in the original unopened container shall comply with all drink size requirements and be sold in a durable sealable container.

(c) This section shall be a part of and supplemental to the club and drinking establishment act.;

On page 25, in line 38, after "41-2653" by inserting ", as amended by section 1 of 2021 Senate Bill No. 14";

On page 1, in the title, in line 7, after "41-2653" by inserting ", as amended by section 1 of 2021 Senate Bill No. 14" and the bill be passed as amended.

Committee report to **HB 2201** be adopted; and the bill be passed as amended.

Committee report to **HB 2387** be adopted; and the bill be passed as amended.

Committee report to **HB 2252** be adopted; and the bill be passed as amended.

Committee report to **HB 2247** be adopted.

Also, on motion of Rep. Poetter, **HB 2247** be amended as amended by House Committee, on page 2, following line 4, by inserting:

"Sec. 6. The portion of United States highway 69 from the southern junction of United States highway 69 with interstate highway 435 in Johnson county, then south on United States highway 69 to the junction of United States highway 69 and 135<sup>th</sup> street is hereby designated as the Senator Dennis Wilson memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of

transportation shall place highway signs along the highway right-of-way at proper intervals to indicate that the highway is the Senator Dennis Wilson memorial highway.";

And by renumbering sections accordingly;

On page 1, in the title, in line 7, after "bridge" by inserting "; designating a portion of United States highway 69 as the Senator Dennis Wilson memorial highway" and the bill be passed as amended.

Committee report to **HB 2391** be adopted; and the bill be passed as amended.

Committee report to **HB 2128** be adopted; and the bill be passed as amended.

Committee report to **HB 2259** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **HB 2166** be adopted.

Also, on motion of Rep. Hoheisel, **Substitute for HB 2166** be amended on page 6, following line 33, by inserting:

"(e) Upon satisfactory proof submitted to the director of vehicles, in accordance with rules and regulations adopted by the secretary of revenue, any person issued a license plate under this section may request that the license plate be printed to indicate that such person is a retired member of the United States army.";

On page 7, following line 23, by inserting:

"(e) Upon satisfactory proof submitted to the director of vehicles, in accordance with rules and regulations adopted by the secretary of revenue, any person issued a license plate under this section may request that the license plate be printed to indicate that such person is a retired member of the United States navy.";

On page 8, following line 14, by inserting:

"(e) Upon satisfactory proof submitted to the director of vehicles, in accordance with rules and regulations adopted by the secretary of revenue, any person issued a license plate under this section may request that the license plate be printed to indicate that such person is a retired member of the United States marine corps.";

On page 9, following line 4, by inserting:

"(e) Upon satisfactory proof submitted to the director of vehicles, in accordance with rules and regulations adopted by the secretary of revenue, any person issued a license plate under this section may request that the license plate be printed to indicate that such person is a retired member of the United States air force.";

Also on page 9, following line 38, by inserting:

"(e) Upon satisfactory proof submitted to the director of vehicles, in accordance with rules and regulations adopted by the secretary of revenue, any person issued a license plate under this section may request that the license plate be printed to indicate that such person is a retired member of the United States coast guard.";

On page 10, following line 28, by inserting:

"(e) Upon satisfactory proof submitted to the director of vehicles, in accordance with rules and regulations adopted by the secretary of revenue, any person issued a license plate under this section may request that the license plate be printed to indicate that such person is a retired member of the United States space force." and the substitute bill be passed as amended.

Committee report to **HB 2296** be adopted.

Also, on motion of Rep. Neelly to amend **HB 2296**, Rep. Delperdang requested a

ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and the bill be passed.

The motion to recommend bill favorably for passage did not prevail.

## REPORTS OF STANDING COMMITTEES

Committee on **Children and Seniors** recommends **HB 2371** be amended on page 8, in line 5, by striking the second "and"; in line 6, by striking "private" and inserting "nonpublic"; in line 7, by striking "or postsecondary educational institution" and inserting "making progress toward graduation for up to 48 months; or

(vii) adults enrolled in a postsecondary educational institution for at least six credit hours that are required to obtain a degree or certificate for up to 72 months";

On page 1, in the title, in line 3, after "exempting" by inserting "qualifying"; in line 4, after "requirement" by inserting "for a limited time"; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2057** be passed.

Committee on **Elections** recommends **HB 2332** be amended on page 4, in line 34, after "(k)" by inserting "(1)"; in line 35, after "ballot" by inserting "and includes an application for an advance voting ballot in such mailing";

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

On page 5, following line 1, by inserting:

"(2) The provisions of this subsection shall not apply to:

(A) The secretary of state or any election official or county election office; or

(B) the official protection and advocacy for voting access agency for this state as designated pursuant to the federal help America vote act of 2002, public law 107-252, or any other entity required to provide information concerning elections and voting procedures by federal law.

(3) A violation of this subsection is a class C nonperson misdemeanor.";

Also on page 5, in line 2, after "(1)" by inserting "(1) No person shall mail or cause to be mailed an application for an advance voting ballot, unless such person is a resident of this state or is otherwise domiciled in this state.

(2) Any individual may file a complaint in writing with the attorney general alleging a violation of this subsection. Such complaint shall include the name of the person alleged to have violated this subsection and any other information as required by the attorney general. Upon receipt of a complaint, the attorney general shall investigate and may file an action against any person found to have violated this subsection.

(3) Any person who violates the provisions of this subsection is subject to a civil penalty of \$20. Each instance in which a person mails an application for an advance voting ballot in violation of this section shall constitute a separate violation.

(m)";

Also on page 5, in line 6, after "after" by inserting "January 1, 2022, and";

On page 1, in the title, in line 3, after the semicolon by inserting "prohibiting such solicitations by persons located outside this state; penalties for violations;"; and the bill be passed as amended.

Committee on **Elections** recommends **HB 2339** be amended on page 1, in line 8, by striking "While being charged with no election duty;"; in line 9, after "record" by

inserting "unless the person is lawfully carrying out an election duty"; in line 10, after "alter" by inserting ", destroy"; in line 11, after "ballot" by inserting ", election machine"; in line 13, after "software" by inserting ", election machine, wireless or cellular transmission"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2138, HB 2340** be passed.

Committee on **Federal and State Affairs** recommends **HB 2025** be amended on page 1, in line 8, by striking all after the second comma; in line 9, by striking all before "shall"; in line 12, by striking "a judicially recognized exception" and inserting "one of the following exceptions"; in line 13, after "requirement" by inserting ":

- (1) Exigent circumstances;
- (2) consent searches; or
- (3) plain view doctrine";

Also on page 1, in line 27, by striking "a judicially recognized exception" and inserting "one of the following exceptions"; in line 28, after "requirement" by inserting ":

- (1) Exigent circumstances;
- (2) consent searches; or
- (3) plain view doctrine"; and the bill be passed as amended.

Committee on **K-12 Education Budget** recommends **HB 2119** be amended as recommended by the House Committee on K-12 Education Budget as reported in the Journal of the House on February 12, 2021, and the bill as printed As Amended by House Committee be further amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2119," as follows:

"Substitute for HOUSE BILL NO. 2119  
By Committee on K-12 Education Budget

"AN ACT concerning education; relating to the instruction and financing thereof; making and concerning appropriations for the department of education for fiscal years ending June 30, 2021, June 30, 2022, and June 30, 2023; creating the student empowerment act to provide education savings accounts to certain students; requiring the school term to be conducted through in-person education and allowing for limited remote learning; requiring boards of education to allocate sufficient school district moneys to improve academic performance of underachieving students; providing an alternative state aid calculation for school district remote enrollment; authorizing continuation of the 20 mill statewide property tax levy for schools and the exemption of a portion of residential property from such levy; expanding student eligibility under the tax credit for low income students scholarship program; amending K.S.A. 72-1163, 72-3115, 72-5134, 72-5151, 79-201x and 79-32,117 and K.S.A. 2020 Supp. 72-3117, 72-4352, 72-4354, 72-5131, 72-5132, 72-5142 and 72-5178 and repealing the existing sections."; and the substitute bill be passed.

(Sub **HB 2119** was thereupon introduced and read by title.)

Committee on **Taxation** recommends **HB 2315** be passed.

Committee on **Taxation** recommends **HB 2313** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Transportation** recommends **HB 2245, HB 2295** be passed.

Committee on **Transportation** recommends **HB 2193** be amended on page 1, following line 6, by inserting:

"New Section 1. (a) (1) Any person who is financially unable to pay either the full amount of their original traffic fine or fines and court costs or a monthly payment from an approved hardship payment plan, as described in this section, may contact the court of jurisdiction to request a hardship waiver to offset part or all of the balance owed. The waiver shall include options for monthly installment payments and credits, or both, earned by the defendant doing community service and attending court approved classes, or both.

(2) A monthly payment amount shall be calculated based upon all fines and fees and all anticipated costs owed within that jurisdiction and shall correspond to the person's ability to pay. The monthly payment plan amount shall be the greater of \$10 or 2% of the person's annual net income, as of their most recent tax return, divided by 12.

(b) A single page, uniform hardship waiver application form shall be made available to download from the department of revenue website in addition to being provided in each jurisdiction's clerk of court office for defendants to sign and submit to the court. If the court denies an economic hardship petition, a written explanation shall be provided to the defendant stating the reason or reasons for the denial.

(c) Under the terms of the original traffic fine or fines and court costs payment agreement made with the court, the district or municipal court:

(1) Shall order the recall of any warrants directly related to the suspension of the person's driver's license.

(2) shall order the waiver of any reinstatement and collection fees directly related to the suspension;

(3) shall order the expungement of any previous driving while suspended convictions due to nonpayment of traffic fines and court costs, or both, or failure to appear; and

(4) may order that a defendant who enters into a payment agreement shall receive credit against remaining traffic fines and court costs owed by performing community service and attending classes, or both, including online courses, aimed at defensive and safe driving techniques or a state approved traffic school program. The court shall approve any classes and community service. Once such classes and community service has been approved, the person shall receive a credit toward the balance owed in an amount equal to \$15 for each hour spent by the person doing community service and \$15 for each hour spent attending classes.

(d) After a hardship payment plan has been approved by the court, the court shall order the division of vehicles to reinstate the driver's driving privileges without restriction. After a person has their driving privileges reinstated by agreeing to an approved hardship payment plan, that person's driver's license shall not be suspended due to nonpayment until they have failed to pay for 90 consecutive days.

(e) Any violation of law by the person holding a restricted license that would result in the suspension or revocation of a driver's license shall result in the revocation of the

restricted license.

(f) As soon as the original traffic fine or fines and court costs have been paid as agreed by the defendant, the district or municipal court shall electronically order the division of vehicles to immediately remove the restrictions on the defendant's driver's license and mail written notification to the defendant that their Kansas driver's privileges and license have been reinstated.

(g) The provisions of this section shall not apply to:

- (1) Non-traffic warrants; or
- (2) a person whose driver's license has been suspended or revoked under the provisions of K.S.A. 8-2,144, 8-1567 or 8-1567a, and amendments thereto, or K.S.A. 2020 Supp. 8-1025, and amendments thereto.";

On page 2, in line 8, by striking "30" and inserting "90";

On page 3, following line 4, by inserting:

"Sec. 3. K.S.A. 2020 Supp. 8-2106 is hereby amended to read as follows: 8-2106.

(a) A law enforcement officer may prepare and deliver to a person a written traffic citation on a form approved by the division of motor vehicles, if the law enforcement officer stops the person for a violation of:

(1) The uniform act regulating traffic on highways, which violation is a misdemeanor or a traffic infraction;

(2) K.S.A. 8-262, 8-287, 8-2,144, 8-1599, 40-3104, 40-3106, 41-715, 41-724, 41-727, 47-607, 66-1,111, 66-1,129, 66-1,139, 66-1,140, 66-273, 66-1314, 66-1324, 66-1330, 66-1331, 66-1332, 68-2104, 68-2106 or ~~subsection (b) of K.S.A. 79-34,122(b)~~, or K.S.A. 2020 Supp. ~~subsection (a) of 21-5607(a)~~, 21-5810, 21-5815, 21-5816, ~~subsection (a) of 21-5817(a)~~ or 21-6203, and amendments thereto;

(3) K.S.A. 31-155, and amendments thereto, involving transportation of bottle rockets;

(4) K.S.A. 66-1314 or 66-1328, and amendments thereto, and any rules and regulations adopted pursuant thereto;

(5) any rules and regulations adopted pursuant to K.S.A. 2-1212, ~~68-2001~~ or 31-146 or ~~68-2001~~, and amendments thereto;

(6) any rules and regulations adopted pursuant to K.S.A. 31-133, and amendments, thereto relating to transportation of materials or fuel; or

(7) K.S.A. 8-1343 through 8-1347, and amendments thereto, relating to the child passenger safety act; or

(8) K.S.A. 8-2501 through 8-2507, and amendments thereto, relating to the safety belt use act.

(b) The citation shall contain a notice to appear in court, the name and address of the person, the type of vehicle the person was driving, whether hazardous materials were being transported, whether an accident occurred, the state registration number of the person's vehicle, if any, a statement whether the vehicle is a commercial vehicle, whether the person is licensed to drive a commercial motor vehicle, the offense or offenses charged, the time and place when and where the person shall appear in court, the phone number and email address of the clerk of the court of jurisdiction, the signature of the law enforcement officer, and any other pertinent information.

(c) The time specified in the notice to appear shall be at least five days after the

alleged violation unless the person charged with the violation demands an earlier hearing.

(d) The place specified in the notice to appear shall be before a judge of the district or municipal court within the county in which the offense is alleged to have been committed.

(e) Except in the circumstances ~~to which subsection (a) of where~~ K.S.A. 8-2104(a), and amendments thereto, apply, in the discretion of the law enforcement officer, a person charged with a misdemeanor may give written promise to either appear in court or be given the phone number or email address of the clerk of the court to enter a plea prior to the court date by signing at least one copy of the written citation prepared by the law enforcement officer, in which event the law enforcement officer shall deliver a copy of the citation to the person and shall not take the person into physical custody.

(f) When a person is charged with a traffic infraction, the notice to appear shall provide a place where the person may make a written entry of appearance, waive the right to a trial and plead guilty or no contest. Such notice to appear shall contain a provision that the person's failure to either enter a plea with the clerk of the court prior to a specified time and, if pleading guilty, make payments as agreed to with the court, pay such fine and court costs or appear in court at the specified time may result in suspension of the person's drivers' license as provided in K.S.A. 8-2110, and amendments thereto. The notice to appear shall provide a space where the law enforcement officer shall enter the appropriate fine specified in the uniform fine schedule contained in K.S.A. 8-2118, and amendments thereto, for the violation charged and court costs in the amount provided by law. If the notice to appear does not ~~do so~~ provide the information set forth in this subsection, the law enforcement officer shall provide a person charged with a traffic infraction a form explaining the person's right to contact the clerk of the district or municipal court of jurisdiction to enter a plea prior to the date to appear and right to a trial and the person's right to negotiate with the court a plan to pay the fine or fines stated on the traffic citation and court costs or pay the appropriate fine and court costs prior to the appearance date. The law enforcement officer shall provide the person with the phone number and email address of the clerk of the court and the address of the court to which the written entry of appearance, waiver of trial, plea of guilty or no contest and payment of fine and court costs shall be mailed.

(g) Any officer violating any of the provisions of subsection (f) is guilty of misconduct in office and shall be subject to removal from office.;

Also on page 3, in line 7, by striking "either"; also in line 7, by striking ": (1)"; in line 8, by striking the first "and" and inserting "or enter a plea with the clerk of the court prior to their assigned court date and, if pleading guilty,"; also in line 8, by striking "in full"; also in line 8, by striking all after "costs"; by striking all in line 9; in line 10, by striking all before the period and inserting "in accordance with the amount and payment plan agreed upon by the court"; in line 18, by striking all before "within" and inserting "enter a plea with the court"; in line 25, by striking all before "the";

On page 4, in line 4, after "citations" by inserting "or failure to appear in court or contact the court to enter a plea prior to their court date"; in line 12, by striking all after the period; by striking all in lines 13 through 19; in line 20, by striking all before "No"; in line 22, after "(C)" by inserting "An individual shall not qualify for restricted driving privileges pursuant to subsection (b)(2)(A) or (b)(2)(B) unless the following conditions are met: (i) The suspended license was issued by the division of vehicles; (ii) the

suspended license resulted from the individual's failure to comply with a traffic citation pursuant to subsection (b)(1) and there is no other basis for the license suspension or cancellation except for violations of this section; and (iii) the traffic citation that resulted in the failure to comply pursuant to subsection (b)(1) was issued in this state.

(D)";

On page 5, in line 17, before "Except" by inserting "On and after July 1, 2021,";

On page 6, in line 19, after the comma by inserting "8-2106,";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "permitting certain individuals to enter into payment agreements with courts for fines for traffic citations; requiring certain information to appear on traffic citations;"; also in line 3, after "8-262" by inserting ", 8-2106"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2379** be amended on page 1, in line 16, by striking "mean" and inserting "include":

(1) The";

Also on page 1, in line 17, after "thereto" by inserting ";

(2) the use of a vehicle for demonstrations purposes; or

(3) a leased, temporarily loaned or borrowed vehicle owned by a new or used vehicle dealer licensed under the provisions of K.S.A. 8-2401 et seq., and amendments thereto";

Also on page 1, in line 21, by striking "mean" and inserting "include":

(1)";

Also on page 1, also in line 21, by striking "and does not include" and inserting ";

(2)";

Also on page 1, in line 22, after "thereto" by inserting ";

(3) a service provider who is solely providing hardware or software as a service to a person or entity that is not effectuating payment of financial consideration for use of a shared vehicle;

(4) the use of a vehicle for demonstration purposes; or

(5) a leased, temporarily loaned or borrowed vehicle owned by a new or used vehicle dealer licensed under the provisions of K.S.A. 8-2401 et seq., and amendments thereto";

Also on page 1, in line 27, after "include" by inserting ":

(1)";

Also on page 1, in line 28, after "thereto" by inserting ";

(2) the use of a vehicle for demonstration purposes; or

(3) a leased, temporarily loaned or borrowed vehicle owned by a used or new vehicle dealer licensed under the provisions of K.S.A. 8-2401 et seq., and amendments thereto";

Also on page 1, in line 31, after "include" by inserting ":

(1)";

Also on page 1, in line 32, after "thereto" by inserting ";

(2) a vehicle that is used for demonstration purposes; or

(3) a lease, temporarily loaned or borrowed vehicle owned by a new or used vehicle dealer licensed under the provisions of K.S.A. 8-2401 et seq., and amendments thereto";

Also on page 1, in line 36, after "include" by inserting ":

(1)";

Also on page 1, also in line 36, after "thereto" by inserting ";

(2) the operator of a vehicle that is used for demonstration purposes; or

(3) the operator of a leased, temporarily loaned or borrowed vehicle owned by a new or used vehicle dealer licensed under the provisions of K.S.A. 8-2401 et seq., and amendments thereto";

On page 2, in line 1, after "(g)" by inserting "(1)"; in line 4, after the period by inserting:

"(2)";

Also on page 2, also in line 4, after "include" by inserting ":

(A)";

Also on page 2, in line 5, before ". A" by inserting ":

(B) an owner of a vehicle that is used for demonstration purposes; or

(C) a leased, temporarily loaned or borrowed vehicle owned by a new or used vehicle dealer licensed under the provisions of K.S.A. 8-2401 et seq., and amendments thereto";

Also on page 2, also in line 5, after "thereto." by inserting:

"(3)";

Also on page 2, in line 6, after the first comma by inserting "a leasing company"; in line 28, after "program" by inserting "and such alternatively agreed upon location is incorporated into the vehicle sharing program agreement";

On page 3, in line 32, after the period by inserting "In the event that a claim occurs in another state with insurance policy coverage amounts that exceed the minimum amounts set forth in K.S.A. 40-3107, and amendments thereto, during the vehicle sharing period, the coverage maintained under subsection (e) shall satisfy the difference in minimum coverage amounts up to the applicable policy limits."; in line 33, by striking "(1)"; also in line 33, after "The" by inserting "insurer or"; in line 36, by striking "(A)" and inserting "(1)"; in line 37, after "loss" by inserting "or a dispute exists as to whether the shared vehicle was returned to the alternatively agreed upon location as required by section 2(k), and amendments thereto"; in line 38, by striking "(B)" and inserting "(2)"; by striking all in lines 41 through 43;

On page 4, by striking all in line 1;

On page 5, following line 3, by inserting:

"(c) Nothing in this section invalidates, limits or restricts an insurer's ability under existing law to underwrite any insurance policy or to cancel and non-renew insurance policies.";

Also on page 5, in line 6, after the second comma by inserting "vehicle sharing period pick up and drop off locations,"; in line 10, after "investigation" by inserting ", settlement, negotiation or litigation"; in line 19, by striking "contribution" and inserting "recovery"; and the bill be passed as amended.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2426**, AN ACT concerning municipalities; authorizing municipalities to issue bonds and warrants in excess of current revenue in the case of declared emergencies;

increasing the maximum allowed bond interest rate; changing the source of bond yield information; amending K.S.A. 2020 Supp. 10-1009 and repealing the existing section, by Committee on Appropriations.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

HOUSE RESOLUTION No. **HR 6010**—

By Representative B. Carpenter

**HR 6010**—A RESOLUTION supporting the Future Vertical Lift program as a part of United States Army modernization.

WHEREAS, The United States of America faces a growing multi-faceted national security threat from near-peer challengers around the world; and

WHEREAS, The national security of the United States requires multiple critical modernization efforts across all branches of the United States military; and

WHEREAS, Kansas is home to five military installations, major members of the United States defense industrial base, world-class academic institutions and strategic assets essential to our national defense; and

WHEREAS, Our servicemen and women require vertical lift aircraft with greater reach, speed, agility, lethality and survivability to compete in the critical anti-access, anti-denial environments around the world; and

WHEREAS, The United States Army modernization plan involves six mutually supporting priorities, including Future Vertical Lift, to enable the joint force to counter evolving threats; and

WHEREAS, The Future Vertical Lift program involves a next-generation family of aircraft, enabling the United States Department of Defense to successfully meet these emerging and rapidly evolving threats; and

WHEREAS, Within the Future Vertical Lift program, the Future Long-Range Assault Aircraft program seeks to modernize the vertical lift fleet by delivering the most modern, versatile and lethal weapons systems in the world in order to win on the modern battlefield; and

WHEREAS, Future Long-Range Assault Aircraft will serve as the primary air assault, aerial medical evacuation and medium utility aircraft for the United States Army; and

WHEREAS, The United States Marine Corps is likewise assessing the platform for its future utility and attack requirements; and

WHEREAS, Future Long-Range Assault Aircraft would enhance the capability of the United States Army National Guard to execute national security missions and respond to domestic contingencies, such as natural disasters, as well as position the Guard as an operational strategic reserve; and

WHEREAS, The Future Vertical Lift program generally, and the Future Long-Range Assault Aircraft program in particular, will help drive innovation and create research, development and employment opportunities in the Kansas aerospace and defense ecosystem; and

WHEREAS, The Future Long-Range Assault Aircraft program can deliver significant economic benefits and advance Kansas' objective to grow and diversify the state's economy while supporting national security efforts; and

WHEREAS, The Future Vertical Lift and Future Long-Range Assault Aircraft programs will require full funding and support from the federal government: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That the state of Kansas supports the United States Army's Future Vertical Lift program, including the Future Long-Range Assault Aircraft program as part of United States Army modernization plan; and

*Be it further resolved:* The state of Kansas requests the full support of the Kansas congressional delegation to ensure full funding for the Future Vertical Lift program, including the Future Long-Range Assault Aircraft program, in the President's federal budget and subsequent authorization and appropriations legislation; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to each member of the United States Senate and the United States House of Representatives serving Kansas.

On motion of Rep. Hawkins, the House adjourned until 10:00 a.m., Tuesday, March 2, 2021.

# Journal of the House

## THIRTY-SIXTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, March 2, 2021, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Finch in the chair.

The roll was called with 124 members present.

Rep. Howard was excused on verified illness.

Prayer by Chaplain Brubaker:

Lord God,  
Thank You for the blessing and opportunity  
To enjoy another beautiful day that You have created.  
As our leaders continue their work today,  
help them to pursue righteousness and not rightness;  
to exercise faith and not exploit others flaws;  
to speak in love and not with license;  
to find paths to peace rather than to give in to resentment.  
May our efforts today bring a better tomorrow.  
Remind each one that none are here by accident,  
but by Your plan to fulfill Your purpose.  
This I pray in Your Name, Amen.

The Pledge of Allegiance was led by Rep. Samsel.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2427**, AN ACT concerning the Kansas offender registration act; requiring registration for an offender who committed certain violations of breach of privacy; amending K.S.A. 2020 Supp. 22-4902 and 22-4906 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2428**, AN ACT concerning taxation; relating to cigarette and tobacco products tax and increasing rates of tax; establishing the cigarette and tobacco products cessation fund; relating to sales and compensating use tax on food and food ingredients and decreasing the rates of tax; amending K.S.A. 79-3310, 79-3310c, 79-3311, 79-3312, 79-3371, 79-3378, 79-3387 and 79-3602 and K.S.A. 2020 Supp. 79-3603 and 79-3703 and repealing the existing sections, by Committee on Taxation.

**HB 2429**, AN ACT concerning cities; establishing the city utility low-interest loan program; allowing cities to apply to the state treasurer for loans from state unencumbered funds for extraordinary electric or natural gas costs incurred during the

extreme winter weather event of February 2021; amending K.S.A. 75-4237 and repealing the existing section, by Committee on Appropriations.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **HB 2426**.

Higher Education Budget: **HB 2425**.

### CHANGE OF REFERENCE

Speaker pro tem Finch announced the withdrawal of **SB 88** from Committee on Local Government and referral to Committee on Financial Institutions and Rural Development.

### MESSAGES FROM THE SENATE

Announcing passage of **SB 20, 26, SB 89**.

Announcing passage of **Sub HB 2049**.

### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

**SB 20, SB 26, SB 89**.

### MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY

On motion of Rep. Blake Carpenter, **HR 6010**, A RESOLUTION supporting the United States Army Future Vertical Lift program, was adopted.

There being on objection, the following remarks of Rep. Blake Carpenter are spread upon the Journal:

Good morning Body. Bell Helicopter has recently started operations in the Air Capitol of the World. They currently have hired approximately 50 Kansas engineers, with plans to quickly grow the engineering center to 100 engineers. These are high paying jobs that grow our Kansas economy while also allowing more Kansans to contribute in the effort to protect the United States of America and defend democracy and American interests throughout the world.

The United States Army modernization plan involves six mutually supporting priorities, including future vertical lift or (FVL), to enable the joint force to counter evolving threats. The FVL program involves a next-generation family of aircraft, enabling the US Department of Defense to successfully meet these emerging and rapidly evolving threats. Bell is a leader in the development of FVL technology that will create this new aircraft for our American military.

Our troops require vertical lift aircraft with greater reach, speed, agility, lethality and survivability to compete in the anti-access, anti-denial threat environment. FVL is a national imperative as a key enabler of many facets of Multi-Domain Operations and serves as a blueprint for Army modernization. Bell Helicopter is a leader in this effort.

We welcome Bell to Wichita and thank them for the jobs they've brought to Kansas.

It is our hope that this is just the start and that we will someday soon see Bell manufacturing vertical lift aircraft right here in Kansas. Representatives of Bell Helicopter are here in the Kansas Capitol today. Due to COVID-19 we are unable to have them join us in the Chamber. However, they are right outside the Chamber and listening to our proceedings. Please join me in welcoming these Bell Helicopter Representatives to Kansas.

This will show that the state of Kansas supports the United States Army's Future Vertical Lift program, including the Future Long-Range Assault Aircraft program as part of the US Army modernization plan.

### CONSENT CALENDAR

No objection was made to **HB 2313** appearing on the Consent Calendar for the first day.

No objection was made to **HB 2162, HB 2275, HB 2292, HB 2390** appearing on the Consent Calendar for the third day. The bills were advanced to Final Action on Bills and Concurrent Resolutions.

Objection was made to **HB 2355** appearing on the Consent Calendar; the bill was placed on the Calendar under the heading General Orders.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2162**, AN ACT concerning census data; relating to data used in adopting senatorial and representative district boundaries; conforming law with certain amendments to the Kansas constitution and repealing certain obsolete provisions; making conforming revisions to certain references; amending K.S.A. 11-210 and K.S.A. 2020 Supp. 11-201, 17-2205 and 45-229 and repealing the existing sections; also repealing K.S.A. 11-204, 11-205, 11-206, 11-207, 11-208, 11-301, 11-302, 11-303, 11-304, 11-305, 11-306 and 11-307, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 1; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: Poetter.

Absent or not voting: Howard.

The bill passed.

**HB 2275**, AN ACT concerning the department of corrections; relating to parole and postrelease supervision; requiring the department to develop guidelines to address parole violations; amending K.S.A. 75-5216 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2292**, AN ACT concerning open records; creating exemptions in the open records act for cybersecurity assessments, cybersecurity plans and cybersecurity vulnerabilities; amending K.S.A. 2020 Supp. 45-217 and 45-221 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2390**, AN ACT concerning public records; relating to disclosure thereof under the open records act; making permanent certain exceptions to disclosure; amending K.S.A. 75-5664 and 75-5665 and K.S.A. 2020 Supp. 9-513c, 9-2209, 12-5374, 16-335, 17-1312e, 25-2309, 40-2,118, 40-4913, 45-229 and 45-254 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2128**, AN ACT concerning crimes, punishment and criminal procedure; relating to certified drug abuse treatment programs; supervision and jurisdiction; amending K.S.A. 2020 Supp. 21-6610 and 21-6824 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler,

K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

#### EXPLANATION OF VOTE

MR. SPEAKER: I voted NO today on **HB 2128**. A majority of our Sumner County offenders now are out of the area Wichita etc. if we transfer them all to Sedgwick County District we would be out of clients. I also think we want to prosecute the offenders that are committing crimes in Sumner county. I think it would overload Sedgwick even more then what they are now. I think we owe it to our victims that reside in Sumner County to have these cases remain in our county. In addition, we already transfer supervision around the state. – BILL RHILEY

**HB 2137**, AN ACT concerning alcoholic beverages; relating to the sale of cereal malt beverages; authorizing certain licensees under the Kansas liquor control act and the club and drinking establishment act to sell and serve cereal malt beverages; amending K.S.A. 41-2604 and 41-2619 and K.S.A. 2020 Supp. 41-308, 41-1201, 41-1202, 41-1203, 41-1204, 41-2601, 41-2608, 41-2610, 41-2611, 41-2613, 41-2614, 41-2623, 41-2637, 41-2641, 41-2642, 41-2643, 41-2653, as amended by section 1 of 2021 Senate Bill No. 14, 41-2655, 41-2658 and 41-2659 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Carmichael, Helgerson.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2145**, AN ACT concerning electric public utilities; relating to the state corporation commission; exempting retail sales of electricity through electric vehicle charging stations from commission jurisdiction; amending K.S.A. 66-104 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**Sub HB 2166**, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Braden's hope for childhood cancer, proud educator and alpha kappa alpha distinctive license plates; providing distinctive license plates for current and veteran members of the United States army, navy, marine corps, air force, coast guard and space force; modifying requirements to begin production on distinctive license plates; amending K.S.A. 2020 Supp. 8-1,141, 8-1,142 and 8-1,147 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The substitute bill passed, as amended.

**HB 2201**, AN ACT concerning transportation; relating to the Eisenhower legacy transportation program; decreasing the threshold amount required for alternate delivery projects; providing for the usage of federal stimulus funds for certain projects; amending K.S.A. 68-2328 and K.S.A. 2020 Supp. 68-2314c, 68-2332 and 75-5094 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 6; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Vectors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, Burris, Garber, Helgerson, Jacobs, Poetter.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2203**, AN ACT concerning the Kansas asbestos control program; creating the asbestos remediation fund, fees and purposes; amending K.S.A. 65-5309 and 65-5314 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Vectors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: S. Johnson, Kuether.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2212**, AN ACT concerning alcoholic liquor; relating to the liquor control act; eligibility for licensure; eliminating residency requirements; amending K.S.A. 2020 Supp. 41-311, 41-311b, 41-2623 and 41-2703 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Helmer, Rhiley.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I voted NO today on **HB 2212**. I disagree with the removal of language in this bill that allows out of state residency. I agree with the language to allow across county line owning of licenses but not across state lines, this would allow large businesses from Texas, California, and New York to own a business instead of local family owned business. – BILL RHILEY

Mr. Speaker: I vote aye on HB 2212 to assure that our Liquor Control Act is constitutional. It is important that all changes to this Act carefully provide for reasonable regulation, for public health and safety and protect our state's authority to regulate under the 21st amendment of the United States Constitution. – Tom Kessler

**HB 2214**, AN ACT concerning state property; authorizing the secretary of administration on behalf of the department of corrections to convey land in Mitchell county to the city of Beloit; providing the procedure for the conveyance; relating to the payment of costs; requiring approval by the attorney general, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau,

Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2238**, AN ACT concerning school districts and cities; relating to gifts for libraries; amending K.S.A. 12-1252 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2247**, AN ACT concerning roads and highways; designating a portion of K-67 highway as the COII Trenton J Brinkman memorial highway; designating bridges on U.S. highway 54 as the Jack Taylor memorial bridge and the Max Zimmerman memorial bridge; designating a bridge on United States highway 77 as the PFC Loren H Larson memorial bridge; designating a bridge on United States highway 166 as the SGT Tyler A Juden memorial bridge; designating a portion of United States highway 69 as the Senator Dennis Wilson memorial highway, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2252**, AN ACT concerning alcoholic liquor; relating to wineries; special shipping order licensees; creating fulfillment house licensure; authorizing the storage and shipment of alcoholic liquors for a special order shipping licensee; amending K.S.A. 2020 Supp. 41-102 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Bergquist, Jacobs.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2259**, AN ACT concerning health and healthcare; relating to the treatment of sexually transmitted diseases; permitting the use of expedited partner therapy for the treatment thereof, was considered on final action.

On roll call, the vote was: Yeas 75; Nays 49; Present but not voting: 0; Absent or not

voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, Clayton, Coleman, Collins, Concannon, Croft, Curtis, Day, Dodson, M., Donohoe, Eplee, Fairchild, Featherston, Finch, Finney, Francis, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoffman, Hoheisel, Hoye, Jennings, S. Johnson, Kelly, Kessler, Kuether, Landwehr, Lynn, Miller, Moser, Neighbor, Newland, Ohaebosim, Orr, Ousley, Parker, F. Patton, Poskin, Probst, Proehl, Ralph, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sawyer, Schreiber, Stogsdill, Thompson, Vaughn, Victors, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, Bergkamp, Bergquist, Blex, Burris, B. Carpenter, W. Carpenter, Clark, Corbet, Delperdang, Ellis, Esau, Estes, French, Garber, Hawkins, Helmer, Highland, Houser, Howe, Huebert, Humphries, Jacobs, T. Johnson, Lee-Hahn, Long, Mason, Minnix, Murphy, Neelly, Owens, Penn, Poetter, Proctor, Rahjes, Resman, Rhiley, Sanders, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Toplikar, Turner, Waggoner, Wasinger.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote “No” today on **HB 2259** for two reasons: First we have been told this would only apply to patients with chlamydia, but nowhere in the bill does the word “chlamydia” appear and quite to the contrary, the bill specifies this would apply to any sexually transmitted disease.

Second, we have all been taught from a very young age that we should never share drugs prescribed to us with other people. This bill would allow and indeed encourage patients to do just the opposite of that longstanding principle and would set a dangerous precedent going forward. — CLARKE SANDERS

MR. SPEAKER: I vote No on **HB 2259**. When government continues to push sexual perversion and indoctrinates children in schools what other outcome does the state have to expect? This legislation does not stop the spread of sexually transmitted diseases in our society. On the contrary, it encourages more sexual promiscuity with little cure for personal responsibility. The prevention of sexual diseases is a more prudent standard to live by and would drastically reduce or eliminate sexual diseases if we the people returned to the moral absolutes that God has given us to live by. “An ounce of prevention is worth a pound of cure.” — TREVOR JACOBS, TIMOTHY JOHNSON, RANDY GARBER, RON ELLIS

MR. SPEAKER: I vote YES on **HB 2259**. This bill is overdue and allows Kansas to make strides in decreasing the incidence of Chlamydia STDs with its many complications. Kansas will be the 47<sup>th</sup> state to provide Expedited Partner Therapy (E.P.T.) for eligible patients and their partner(s). This bill appropriately aligns E.P.T., with C.I.N.C. Statutes (Child in Need of Care.) Younger patients can be treated timely when a parent or guardian is not present. As all providers of healthcare are mandatory reporters of sexual abuse, we will have an opportunity to reduce sex trafficking in the state. This bill is an important step forward in combating STDs in Kansas. — JOHN R. EPLEE, JIM KELLY, MARK

SCHREIBER, BRENDA K. LANDWEHR, RICHARD J. PROEHL, FRED C. PATTON, SUSAN CONCANNON, RON RYCKMAN, KRISTEY WILLIAMS, BRADLEY RALPH, SUZI CARLSON, RUSS JENNINGS, JOHN P. WHEELER JR., KENT THOMPSON, BOYD ORR, DAVE BAKER, CHRISTOPHER CROFT, JOE NEWLAND, TORI MARIE ARENBERGER, MEAGAN LYNN, JESSE BORJON, LISA M. MOSER, JOHN E. BARKER, TROY WAYMASTER, MIKE DODSON

**HB 2264**, AN ACT concerning student athletes at postsecondary educational institution student athletes; permitting compensation for the use of a student athlete's name, image, likeness rights or athletic reputation; prohibiting certain conduct by postsecondary educational institutions and athletic associations, was considered on final action.

On roll call, the vote was: Yeas 95; Nays 29; Present but not voting: 0; Absent or not voting: 1.

Yeas: Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Dodson, M., Donohoe, Estes, Fairchild, Featherston, Finch, Finney, Francis, Gartner, Haswood, Hawkins, Henderson, Highberger, Highland, Hoheisel, Hoye, Humphries, Jennings, S. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Miller, Minnix, Moser, Neelly, Neighbor, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Alcala, Bergquist, Bishop, Blex, Carmichael, Clark, Delperdang, Ellis, Eplee, Esau, French, Garber, Helgerson, Helmer, Hoffman, Houser, Howe, Huebert, Jacobs, T. Johnson, Lee-Hahn, Mason, Murphy, Newland, Resman, Rhiley, Seiwert, Smith, C., Smith, E..

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote YES on **House Bill 2264**, which makes long overdue changes to put our student athletes in charge of the value of their own name, image, and likeness, rather than the athletic corporations. This is where collegiate athletics are headed, and this bill will keep us ahead of changes coming from the Federal government. It also empowers athletes to decide whether to accept a contract, their compensation, and provides the freedom to make their own decisions. It is time to pay the players. – BRANDON WOODARD

MR. SPEAKER: I voted NO today on **HB 2264**. It is not fair and equitable for students that are able to get a scholarship based on academics and are not rewarded when typically an athlete can receive a full scholarship and keep it and also receive a multimillion dollar advertising check. I am against post secondary athletes receiving professional compensation until after they enter a professional sport. – BILL RHILEY

**HB 2270**, AN ACT concerning the distribution of the levy on fire insurance business premiums; relating to the state fire marshal fee fund, the emergency medical services operating fund and the fire training service program fund; modifying the distribution of moneys thereof; amending K.S.A. 75-1514 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Carmichael.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2297**, AN ACT concerning the secretary of state; relating to duties and responsibilities thereof; publication of session laws; disposition and distribution of volumes; the Kansas register, proposed amendments to the constitution of the state of Kansas and Kansas administrative rules and regulations; eliminating the requirement to file an index of guidance documents; permitting use of printing and binding services from the commercial market; fixing fees by rules and regulations; amending K.S.A. 45-106, 45-315, 64-103, 75-430, 75-433, 75-436, 75-1005, 77-138, 77-417, 77-430, 77-430a, 77-431 and 77-438 and K.S.A. 2020 Supp. 45-107 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman,

Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2298**, AN ACT concerning service of process; relating to the secretary of state; nonresident drivers or their representatives; domestic or foreign business entities; amending K.S.A. 8-402 and K.S.A. 2020 Supp. 60-304 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 4; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Ellis, Jacobs, Lee-Hahn, Poetter.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2321**, AN ACT concerning electric utilities; relating to the state corporation commission; construction of urban electric transmission lines in cities; requiring notice prior to construction, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker,

F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Carmichael, Rhiley.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2367**, AN ACT concerning the state corporation commission; relating to public utilities; authorizing regulation of certain wire stringing activities; amending K.S.A. 66-104 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2374**, AN ACT concerning crimes, punishment and criminal procedure; relating to the certified drug abuse treatment program; authorizing the sentencing commission to determine risk levels for participation in program; amending K.S.A. 75-5291 and K.S.A. 2020 Supp. 21-6824 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T.

Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2387**, AN ACT concerning aircraft; relating to operating an aircraft under the influence; prescribing criminal and administrative penalties; providing for testing of blood, breath, urine or other bodily substances and preliminary screening tests of breath or oral fluid; amending K.S.A. 65-1,107 and 75-712h and K.S.A. 2020 Supp. 22-3437 and 60-427 and repealing the existing sections; also repealing K.S.A. 3-1001, 3-1002, 3-1003, 3-1004 and 3-1005, was considered on final action.

On roll call, the vote was: Yeas 101; Nays 23; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Concannon, Corbet, Croft, Curtis, Day, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoheisel, Howe, Hoye, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lynn, Miller, Minnix, Moser, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Thompson, Toplikar, Turner, Vaughn, Victors, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Averkamp, Bergkamp, Bergquist, Blex, Burris, Collins, Delperdang, Fairchild, Garber, Hoffman, Houser, Huebert, Jacobs, Lee-Hahn, Long, Mason, Murphy, Poetter, Rhiley, Seiwert, Tarwater, Thomas, Waggoner.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

#### EXPLANATION OF VOTE

MR. SPEAKER: I voted NO today on **HB 2387**. Most pilots fly in many states, for pilots that fly inside Kansas, they are better served by the FAA licensing agency that also regulates their behavior,

FAA Regulation Sec. 91.17 — Alcohol or drugs.

(a) No person may act or attempt to act as a crewmember of a civil aircraft—

- (1) Within 8 hours after the consumption of any alcoholic beverage;
- (2) While under the influence of alcohol;
- (3) While using any drug that affects the person's faculties in any way contrary to safety; or

(4) While having an alcohol concentration of 0.04 or greater in a blood or breath specimen. – BILL RHILEY, BRETT FAIRCHILD

**HB 2391**, AN ACT concerning business entities; providing for biannual filing of business reports; changing business filing provisions and requirements related to business names and electronic signatures; removing certain exemptions from the open records act for certain business tax records no longer required to be filed; UCC filings with improperly included social security numbers; other filing or information requirements; filing fees; repealing certain obsolete statutes including relating to blanket music licenses; amending K.S.A. 17-1513, 17-1618, 17-2037, 17-2711, 17-4677, 17-5902, 17-7509, 17-7511, 53-601, 56-1a151, 56-1a605, 56a-101, 75-446 and 75-3520 and K.S.A. 2020 Supp. 17-2036, 17-2718, 17-4634, 17-6014, 17-6014, as amended by section 10 of this act, 17-7002, 17-7503, 17-7504, 17-7505, 17-7506, 17-7510, 17-7512, 17-76,136, 17-76,139, 17-76,147, 17-78-601, 17-7903, 17-7904, 17-7905, 17-7906, 17-7910, 17-7910, as amended by section 29 of this act, 17-7936, 45-229, 56-1a606, 56-1a607, 56a-1001, 56a-1201 and 56a-1202 and repealing the existing sections; also repealing K.S.A. 17-7507, 57-205, 57-206, 57-207 and 75-447, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 3; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Carmichael, Kuether, Proctor.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**SB 33**, AN ACT concerning motor vehicles; relating to the vehicle dealers and manufacturers licensing act; providing for a display show license; allowing for new vehicle dealers and manufacturers to participate in display shows; amending K.S.A. 2020 Supp. 8-2435 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon,

Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Kelly in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Kelly, Committee of the Whole report, as follows, was adopted:

Recommended that Committee report recommending a substitute bill to **HB 2066** be adopted.

Also, on motion of Rep. Croft, **Substitute for HB 2066** be amended on page 1, in line 16, after "documentation" by inserting ", a signed affidavit stating that the application information, including necessary prior employment history, is true and accurate";

On page 2, following line 4, by inserting:

"(7) "Scope of practice" means the procedures, actions, processes and work that a person may perform under a government issued license, registration or certification."; in line 9, after the first "applicant" by inserting "as provided by this section"; in line 19, by striking "under"; in line 20, by striking all before the colon; in line 34, by striking "shall" and inserting "may";

On page 3, in line 33, after "application" by inserting "and the provisions of subsection (c)(2) apply and have been met by the applicant";

On page 4, in line 6, by striking "subsections"; in line 7, by striking all before "may" and inserting "subsection (c)(2)"; in line 11, by striking "(k)" and inserting "(j)"; in line 13, by striking "shall" and inserting "may"; in line 14, by striking "under subsection (b)"; in line 17, by striking "or" and inserting a comma; also in line 17, after "certification" by inserting "or private certification"; in line 22, by striking "(c)(2)(B)" and inserting "(c)(2)(C)"; in line 23, by striking "shall" and inserting "may"; in line 35, by striking "(c)(2)(B)" and inserting "(c)(2)(C)";

On page 5, in line 12, by striking "(c)(2)(A)"; in line 13, before "who" by inserting "(c)(2) or the work experience or private credential held by an applicant under subsections (e) or (f),"; also in line 13, by striking the first "nonresident"; also in line 13, by striking the second "nonresident"; in line 15, by striking "that" and inserting "the license, registration or certification"; in line 29, by striking "(c)(2)(A)" and inserting

"(c)(2) or the work experience or private credential held by an applicant under subsections (e) or (f)"; also in line 29, by striking "nonresident"; also in line 30, by striking "nonresident"; in line 31, by striking "that" and inserting "the license, registration or certification"; in line 32, by striking "shall" and inserting "may"; in line 40, by striking all after "(j)"; by striking all in lines 41 through 43;

On page 6, by striking all in lines 1 through 7; in line 8, by striking "(k)"; in line 9, by striking the second comma and inserting "or"; also in line 9, by striking "or (j)"; in line 26, by striking "endanger" and inserting "jeopardize";

On page 7, in line 16, by striking all after "arts"; in line 17, by striking all before "may" and inserting "and the state board of technical professions, with respect to an applicant who is seeking a license to practice professional engineering or engage in the practice of engineering, as defined in K.S.A. 74-7003, and amendments thereto,"; in line 17, by striking "any" and inserting "an"; in line 21, after the period by inserting "Such boards shall not otherwise be exempt from the provisions of this act."

Also on page 7, in line 23, by striking "(s)" and inserting "(q)"; in line 38, by striking "(s)" and inserting "(r)";

On page 8, in line 5, after "professions" by inserting ", as provided by subsection (r)"; in line 11, by striking "(t)(1)" and inserting "(s)(1)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

Also, Roll Call was demanded on motion of Rep. Xu to amend **Substitute for HB 2066**, on page 7, in line 16, after "arts" by inserting "and the state board of technical professions"; in line 17, after "the" by inserting "state"; also in line 17, after "board" by inserting "of healing arts or the state board of technical professions"; in line 23, by striking "(s)" and inserting "(r)";

On page 8, in line 5, after "professions" by inserting ", as provided by subsection (s)"

On roll call, the vote was: Yeas 44; Nays 80; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clark, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Houser, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Orr, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Schreiber, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Present but not voting: None.

Absent or not voting: Howard.

The motion of Rep. Xu to amend **Substitute for HB 2066** did not prevail, and substitute bill be passed as amended.

**REPORTS OF STANDING COMMITTEES**

Committee on **Judiciary** recommends **HB 2416** be amended on page 2, in line 39, by striking "15-day" and inserting "30-day"; in line 41, by striking "48-924(f)(2)" and inserting "48-925(f)(2)";

On page 4, in line 34, by striking all after "in"; in line 35, by striking all before the period and inserting "the Kansas emergency management act";

On page 5, in line 25, by striking "15" and inserting "30";

On page 6, in line 37, after "extend" by inserting "the"; also in line 37, by striking "the";

On page 9, in line 34, by striking "15-day" and inserting "30-day";

On page 11, following line 19, by inserting:

"Sec. 7. K.S.A. 2020 Supp. 48-949 is hereby amended to read as follows: 48-949. As used in ~~this~~ the Kansas intrastate emergency mutual aid act:

(a) "Division" means the division of emergency management within the office of the adjutant general.

(b) "Emergency responder" means any person in the public or private sector who: (1) Has special skills, qualifications, training, knowledge and experience which would be beneficial to a participating political subdivision in response to a locally-declared emergency as defined in any applicable law or ordinance or authorized drill or exercises; and (2) is requested or authorized, or both, to respond. An emergency responder may or may not be required to possess a license, certificate, permit or other official recognition for the emergency responder's expertise in a particular field or area of knowledge. "Emergency responder" may include, but is not limited to, the following: Law enforcement officers, ~~fire fighters~~ firefighters, 911 dispatch center personnel, emergency medical services personnel, physicians, nurses, public health personnel, emergency management personnel, public works personnel and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency.

Sec. 8. K.S.A. 75-3711 is hereby amended to read as follows: 75-3711. (a) The governor shall:

(1) Hear and determine appeals by any state agency from final decisions or final actions of the secretary of administration or the director of computer services.

(2) Approve, modify and approve or reject proposed rules and regulations submitted by the secretary of administration as provided in K.S.A. 75-3706, and amendments thereto.

(3) Make allocations to, and approve expenditures by a state agency, from any appropriations to the governor for that purpose, of funds for unanticipated and unbudgeted needs, under guidelines and limitations prescribed by K.S.A. 75-3711c, and amendments thereto, or other legislative enactment enhancing or altering K.S.A. 75-3711c, and amendments thereto.

(4) Exercise powers and perform functions specified for the state finance council or governor by the Kansas civil service act.

(b) (1) The chairperson and five or more other members of the state finance council shall constitute a quorum. Approval by the governor and approval by a majority vote of the legislative members of the state finance council shall govern, unless a unanimous vote is required by statute in any particular case.

(2) Whenever a matter is to be acted on by the state finance council and a

unanimous vote is required to approve the particular matter by K.S.A. ~~48-924~~, 75-3713, 75-3713b or 75-3713c, and amendments thereto, or by any other statute, each member who is unable to attend the meeting at which the matter was voted on, may vote on the motion by written absentee vote in the manner prescribed by this subsection. In any such case, an absent member may vote on the motion by ~~(A)~~ writing the member's signature on a copy of the resolution setting forth the matter that is the subject of the motion, writing the date and indicating the member's vote for or against adoption of the resolution; and ~~(B)~~ submitting the copy of the resolution bearing the absentee vote to the secretary of the state finance council either before or not more than 10 days after the date of the meeting at which the motion was voted on. The secretary of the state finance council shall maintain each copy of a resolution bearing an absentee vote as part of the minutes and records of the meeting at which the motion on the resolution was voted on. The secretary shall indicate in the minutes of the meeting the name of each member voting in writing by absentee vote and the date on which the absentee vote was submitted to the secretary. If a particular matter requiring a unanimous vote receives the affirmative vote of each member of the state finance council attending the meeting and the affirmative absentee vote pursuant to this subsection of each member not attending the meeting, then the matter shall be deemed to have received the unanimous vote of all members of the state finance council.

(c) Whenever statutes provide for any matter to receive state finance council action, ~~the same such matter~~ shall be made a matter of business before ~~said the~~ council, if and only if the matter is characterized as a legislative delegation, and in other such cases the governor shall exercise the function specified for the state finance council by applying the guidelines and limitations of K.S.A. 75-3711c, and amendments thereto, or other legislative enactment enhancing or altering ~~the same such function~~.";

Also on page 11, in line 27, after "46-1202" by inserting "and 75-3711"; in line 30, by striking "and"; also in line 30, after "48-925b" by inserting "and 48-949";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the semicolon by inserting "extending the time of an initial state of disaster emergency;" in line 8, after the semicolon by inserting "adding 911 dispatch center personnel to the definition of emergency responder;"; in line 9, after "46-1202" by inserting "and 75-3711"; in line 11, by striking "and"; also in line 11, after "48-925b" by inserting "and 48-949"; and the bill be passed as amended.

On motion of Rep. Hawkins, the House recessed until 1:30 p.m.

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#### AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

#### MESSAGES FROM THE SENATE

Announcing passage of **SB 19, SB 51, SB 62, SB 86, SB 120, SB 126, SB 159.**

Announcing passage of **HB 2022**, as amended.

Announcing passage of **Sub SB 273.**

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 19, SB 51, SB 62, SB 86, SB 120, SB 126, SB 159, SB 273.**

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Kelly in the chair.

**COMMITTEE OF THE WHOLE**

On motion of Rep. Barker, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2138, HB 2097, HB 2057, HB 2153, HB 2234, HB 2362, HB 2361** be passed.

Committee report to **HB 2183** be adopted; and the bill be passed as amended

Committee report to **HB 2045** be adopted.

Also, on motion of Rep. Toplikar, **HB 2045** be amended as amended by House Committee, on page 6, following line 12, by inserting:

"Sec. 4. K.S.A. 79-32,176a is hereby amended to read as follows: 79-32,176a. (a) Any resident individual taxpayer who makes expenditures for the purpose of making all or any portion of an existing facility accessible to individuals with a disability, which facility is used as, or in connection with, such taxpayer's principal dwelling or the principal dwelling of a lineal ascendant or descendant, including construction of a small barrier-free living unit attached to such principal dwelling, shall be entitled to claim a tax credit in an amount equal to the applicable percentage of such expenditures or ~~\$9,000~~ \$15,000, whichever is less, against the income tax liability imposed against such taxpayer pursuant to article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto. Nothing in this subsection shall be deemed to prevent any such taxpayer from claiming such credit: (1) For each principal dwelling in which the taxpayer or lineal ascendant or descendant may reside, or facility used in connection therewith; or (2) more than once, but not more often than once every four-year period of time. The applicable percentage of such expenditures eligible for credit shall be as set forth in the following ~~schedule~~ schedules:

Married individuals filing joint returns.

<del>Taxpayers</del> Taxpayer's	% of
Federal Adjusted	expenditures
Gross Income	eligible for
	credit
\$0 to <del>\$25,000</del> <u>\$60,000</u> .....	100%
Over <del>\$25,000</del> <u>\$60,000</u> but not over <del>\$30,000</del> <u>\$70,000</u> .....	90%
Over <del>\$30,000</del> <u>\$70,000</u> but not over <del>\$35,000</del> <u>\$80,000</u> .....	80%
Over <del>\$35,000</del> <u>\$80,000</u> but not over <del>\$40,000</del> <u>\$90,000</u> .....	70%
Over <del>\$40,000</del> <u>\$90,000</u> but not over <del>\$45,000</del> <u>\$100,000</u> .....	60%
Over <del>\$45,000</del> <u>\$100,000</u> but not over <del>\$55,000</del> <u>\$110,000</u> .....	50%
Over <del>\$55,000</del> <u>\$110,000</u> but not over <u>\$120,000</u> .....	<u>40%</u>
<u>Over \$120,000 but not over \$130,000.....</u>	<u>30%</u>
<u>Over \$130,000 but not over \$140,000.....</u>	<u>20%</u>
<u>Over \$140,000 but not over \$150,000.....</u>	<u>10%</u>

Over \$150,000.....0%

All other individuals.

<u>Taxpayer's</u>	<u>% of</u>
<u>Federal Adjusted</u>	<u>expenditures</u>
<u>Gross Income</u>	<u>eligible for</u>
	<u>credit</u>
\$0 to \$40,000.....	100%
Over \$40,000 but not over \$50,000.....	90%
Over \$50,000 but not over \$60,000.....	80%
Over \$60,000 but not over \$70,000.....	70%
Over \$70,000 but not over \$80,000.....	60%
Over \$80,000 but not over \$90,000.....	50%
Over \$90,000 but not over \$100,000.....	40%
Over \$100,000 but not over \$110,000.....	30%
Over \$110,000 but not over \$120,000.....	20%
Over \$120,000 but not over \$130,000.....	10%
Over \$130,000.....	0%

Such tax credit shall be deducted from the taxpayer's income tax liability for the taxable year in which the expenditures are made by the taxpayer. If the amount of such tax credit exceeds the taxpayer's income tax liability for such taxable year, the amount thereof which exceeds such tax liability may be carried over for deduction from the taxpayer's income tax liability in the next succeeding taxable year or years until the total amount of the tax credit has been deducted from tax liability, except that no such tax credit shall be carried over for deduction after the fourth taxable year succeeding the taxable year in which the expenditures are made.

(b) Notwithstanding the provisions of subsection (a), if the amount of the taxpayer's tax liability is less than ~~\$2,250~~ \$3,750 in the first year in which the credit is claimed under this section, an amount equal to the amount by which  $\frac{1}{4}$  of the credit allowable under this section exceeds such tax liability shall be refunded to the taxpayer and the amount by which such credit exceeds such tax liability less the amount of such refund may be carried over for the next three succeeding taxable years. If the amount of the taxpayer's tax liability is less than ~~\$2,250~~ \$3,750 in the second year in which the credit is claimed under this section, an amount equal to the amount by which  $\frac{1}{3}$  of the amount of the credit carried over from the first taxable year exceeds such tax liability shall be refunded to the taxpayer and the amount by which the amount of the credit carried over from the first taxable year exceeds such tax liability less the amount of such refund may be carried over for the next two succeeding taxable years. If the amount of the taxpayer's tax liability is less than ~~\$2,250~~ \$3,750 in the third year in which the credit is claimed under this section, an amount equal to the amount by which  $\frac{1}{2}$  of the amount carried over from the second taxable year exceeds such tax liability shall be refunded to the taxpayer and the amount by which the amount of the credit carried over from the second taxable year exceeds such tax liability less the amount of such refund may be carried over to the next succeeding taxable year. If the amount of the credit carried over from the third taxable year exceeds the taxpayer's income tax liability for such year, the amount thereof which exceeds such tax liability shall be refunded to the taxpayer.

(c) In the case of all tax years commencing after December 31, 2021, the maximum

tax credit amount, as prescribed in subsection (a), and the tax liability threshold amount in the first, second and third years, as prescribed in subsection (b), shall be increased by an amount equal to such maximum tax credit amount and tax liability threshold amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the year in which the taxable year commences.

(d) The provisions of this section are applicable to tax year ~~2013~~ 2021, and all tax years thereafter.";

Also on page 6, in line 13, by striking "and" and inserting a comma; also in line 13, after "74-8136" by inserting "and 79-32,176a";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "economic development" and inserting "income taxation"; in line 4, after "date;" by inserting "increasing credit for expenditures to make a principal dwelling accessible to persons with a disability;"; in line 5, by striking the first "and" and inserting a comma; also in line 5, after "74-8136" by inserting "and 79-32,176a" and the bill be passed as amended.

Committee report to **HB 2279** be adopted.

Also, on motion of Rep. Bergquist, **HB 2279** be amended as amended by House Committee, on page 16, in line 23, by striking the comma; before the second "as" by inserting "or"; by striking all in lines 25 through 27; in line 28, by striking all before the comma and the bill be passed as amended.

Committee report to **HB 2332** be adopted.

Also, on motion of Rep. Miller to amend **HB 2332**, Rep. Blake Carpenter requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane. The motion did not prevail and the bill be passed as amended.

Committee report to **HB 2377** be adopted.

Also, on motion of Rep. Estes to amend **HB 2377**, the motion did not prevail and the bill be passed as amended.

Committee report to **HB 2209** be adopted; and the bill be passed as amended.

Committee report to **HB 2228** be adopted; and the bill be passed as amended.

Committee report to **HB 2280** be adopted; and the bill be passed as amended.

Committee report to **HB 2208** be adopted; and the bill be passed as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2196** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2196," as follows:

"Substitute for HOUSE BILL NO. 2196

By Committee on Commerce, Labor and Economic Development

"AN ACT concerning employment security; creating the unemployment compensation modernization and improvement council; providing for an audit to be conducted by the council; providing for development of a new unemployment insurance information technology system; claimant tax information; website publication of trust fund data; maximum benefit period; charging of employer accounts for benefits paid;

employment security board of review and emergency expansion thereof; employer contribution rate determination and schedules; abolishing the employment security interest assessment fund; crediting employer accounts for fraudulent or erroneous payments; transferring moneys from the state general fund to the unemployment insurance trust fund for improper benefit payments; services performed by petroleum landmen; lessor employment unit employee leasing restrictions; shared work compensation program; establishing the my reemployment plan; providing job search and job matching assistance to claimants and employers; providing for workforce training program availability for claimants; making and concerning appropriations for the fiscal years ending June 30, 2021, and June 30, 2022; amending K.S.A. 44-758 and K.S.A. 2020 Supp. 44-703, 44-704, 44-705, 44-709, 44-710, 44-710a, 44-710b and 44-757 and repealing the existing sections."; and the substitute bill be passed.

(Sub HB 2196 was thereupon introduced and read by title.)

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Finch announced the appointment of Rep. Victors to replace Rep. Henderson on Committee on Federal and State Affairs until further notice.

Also, the appointment of Rep. Haswood to replace Rep. Ohaebosim on the Committee on Judiciary until further notice.

#### **REPORT ON ENGROSSED BILLS**

**HB 2128, HB 2137, Sub HB 2166, HB 2201, HB 2247, HB 2252, HB 2259, HB 2321, HB 2387** reported correctly engrossed March 1, 2021.

**HB 2391** reported correctly engrossed March 2, 2021.

On motion of Rep. Hawkins, the House adjourned until 10:30 a.m., Wednesday, March 3, 2021.

# Journal of the House

## THIRTY-SEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, March 3, 2021, 10:30 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 124 members present.

Rep. Howard was excused on verified illness.

Excused later: Reps. Seiwert, Samsel and Victors.

Prayer by Chaplain Brubaker:

Gracious and loving God,  
We thank You for Your goodness  
and for Your mercies that are new every morning.  
Help each of us to receive your mercy  
and then to grant that mercy to one another.  
Through Your mercy You enable us  
to show encouragement and to edify one another.  
By your mercy we are able to be patient with one another  
and show respect.  
Just as You are full of compassion and mercy,  
may we be like You in showing compassion and mercy.  
Help us to realize this is Your will for us  
to act justly and to love mercy and to  
walk humbly with You.  
I pray this in Your merciful Name, Amen.

The Pledge of Allegiance was led by Rep. Moser.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture: **SB 89**.

Appropriations: **SB 159**.

Children and Seniors: **SB 120**.

Education: **SB 51, SB 62**.

Federal and State Affairs: **HB 2427, SB 126**.

Financial Institutions and Rural Development: **HB 2429**.

Insurance and Pensions: **SB 86**.

Judiciary: **SB 273**.

Taxation: **HB 2428**.

Transportation: **SB 19, SB 20, SB 26**.

## REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Rural Development** recommends **SB 88** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 88," as follows:

"House Substitute for SENATE BILL NO. 88

By Committee on Financial Institutions and Rural Development

"AN ACT concerning cities; establishing the city utility low-interest loan program; allowing cities to apply to the state treasurer for loans from state unencumbered funds for extraordinary electric or natural gas costs incurred during the extreme winter weather event of February 2021; amending K.S.A. 75-4237 and repealing the existing section."; and the substitute bill be passed.

(**H Sub SB 88** was thereupon introduced and read by title.)

## INTRODUCTION OF ORIGINAL MOTION

On emergency motion of Rep. Hawkins, **H Sub SB 88** was advanced to Final Action on Bills and Concurrent Resolutions, subject to amendment and debate.

On motion of Speaker pro tem Finch, committee report recommending a substitute bill to **SB 88** be adopted.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**H Sub SB 88**, AN ACT concerning cities; establishing the city utility low-interest loan program; allowing cities to apply to the state treasurer for loans from state unencumbered funds for extraordinary electric or natural gas costs incurred during the extreme winter weather event of February 2021; amending K.S.A. 75-4237 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The substitute bill passed.

**CONSENT CALENDAR**

No objection was made to **HB 2313** appearing on the Consent Calendar for the second day.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2045**, AN ACT concerning income taxation; relating to the Kansas angel investor tax credit act; qualified securities; tax credit limitations and amounts; investor requirements; qualified Kansas business designation requirements; bioscience businesses; program expiration date; increasing credit for expenditures to make a principal dwelling accessible to persons with a disability; amending K.S.A. 74-8132, 74-8133, 74-8136 and 79-32,176a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 112; Nays 11; Present but not voting: 1; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, Carmichael, Fairchild, Garber, Howe, Jacobs, Lee-Hahn, Moser, Murphy, Poetter, Waggoner.

Present but not voting: Helgerson.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2057**, AN ACT concerning alcoholic beverages; relating to the club and drinking establishment act; authorizing the issuance of drinking establishment licenses to licensed manufacturers under certain conditions; amending K.S.A. 41-2632 and K.S.A. 2020 Supp. 41-2623 and 41-2642 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T.

Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**Sub HB 2066**, AN ACT concerning occupational regulation; relating to occupational licenses for certain applicants; temporary emergency licenses; electronic credentials; amending K.S.A. 2020 Supp. 48-3406 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 103; Nays 21; Present but not voting: 0; Absent or not voting: 1.

Yeas: Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Francis, French, Garber, Haswood, Hawkins, Helgerson, Helmer, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Orr, Owens, Parker, F. Patton, Penn, Poetter, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ryckman, Samsel, Sanders, Sawyer, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, K. Williams, Wolfe Moore, Woodard.

Nays: Alcalá, Amyx, Baker, Carlin, Carmichael, Clayton, Coleman, Concannon, Finney, Gartner, Henderson, Kuether, Ohaebosim, Ousley, Poskin, Ruiz, S., Schreiber, Stogsdill, Wheeler, Winn, Xu.

Present but not voting: None.

Absent or not voting: Howard.

The substitute bill passed, as amended.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I came to the Capitol yesterday prepared to vote against **Sub for HB 2066**. Amendments adopted yesterday improved the bill. Lt. Gov. Toland shared strong support for the legislation with our caucus.

Despite erroneous statements at the well concerning the Hyatt tragedy, the negligence of the architects clearly contributed to the disaster. I followed that event and subsequent findings closely as one of my dear friends and a colleague of ours lost a sister-in-law that evening.

I vote AYE and am hopeful the Senate will address remaining problems with the bill particularly with regard to the treatment of architects. – VIC MILLER

MR. SPEAKER: I vote No on **HB 2066**. We tried to exempt architecture from this legislation. I represent K-State and thousands of it's employees. I also support Ft. Riley and participated in several BRAC efforts-one lasting more than 4 hours. But many times these professionals don't stay in Kansas and the construction projects they design need to last.

I also support Ft. Riley and welcome its members. I wrote the Military Child Education Compact Act, and the bill to allow dependents to pay in-state tuition and many more bills that support the military in Kansas.

While I want to be welcoming to new coming professionals I was disappointed that architecture was included in the bill. For that reason I vote No. – SYDNEY CARLIN

MR. SPEAKER, I vote NO on **HB 2066**. While solid efforts were made to improve this bill, the exclusion of Architects is a bridge too far for me. I will vote No, with the hope that this profession is included in the conference committee process. - STEPHANIE CLAYTON, MARI-LYNN POSKIN

**HB 2097**, AN ACT concerning economic development; relating to the high performance incentive fund; workforce training program participation requirements; amending K.S.A. 74-50,133 and 79-32,160a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2138**, AN ACT concerning alcoholic beverages; relating to licensure under the club and drinking establishment act; authorizing the issuance of a license to an individual whose spouse is a law enforcement officer; amending K.S.A. 2020 Supp. 41-311 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 4; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson,

Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Helmer, Jacobs, Lee-Hahn, Waggoner.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

#### EXPLANATION OF VOTE

Mr. Speaker: I vote No on HB 2138. The original concept behind this bill made sense. Granting a liquor license in one county to the spouse of a law enforcement person who works in another county I support. It does not raise conflict of interest questions. Alcohol is a highly controlled, highly taxed, highly regulated industry by the government. It's interface with law enforcement is potentially deep. Further, even private industry has rules against nepotism for supervisors and employees. This bill is a bad precedent for future law enforcement integrity, particularly when "medical" marijuana looms on the horizon. – Paul Waggoner, Trevor Jacobs

**HB 2153**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; mistreatment of a dependent adult or elder person; increasing criminal penalty when victim is a resident of an adult care home; amending K.S.A. 2020 Supp. 21-5417 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2183**, AN ACT concerning elections; prohibiting the governor, the executive branch and the judicial branch from altering election laws; limiting the authority of the secretary of state from entering into consent decrees with any court without legislative coordinating council approval, was considered on final action.

On roll call, the vote was: Yeas 84; Nays 39; Present but not voting: 1; Absent or not voting: 1.

Yeas: Anderson, Amberger, Averkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgeson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: Samsel.

Absent or not voting: Howard.

The bill passed, as amended.

#### EXPLANATION OF VOTE

MR. SPEAKER: I vote No on **HB 2183**. While it purports to uphold the state constitution and defend the legislature's role in determining election law, it appears to attempt to limit judicial review of election statutes in violation of our state constitution, and even in cases when the legislature is in session, it vests authority in the legislative coordinating council, which is a body not mentioned in our constitution and is most certainly not the same as the legislature. — DENNIS “BOOG” HIGHBERGER

**HB 2208**, AN ACT concerning health professions and practices; authorizing the issuance of telemedicine waivers for the practice of telemedicine by physicians and other providers; relating to professions regulated by the behavioral sciences regulatory board; reducing certain licensing requirements; expanding the board's grounds for discipline; expanding temporary permits to practice and imposing requirements for extension thereof; amending K.S.A. 65-5804a, 65-5807a, 65-5808, 65-5809, 65-6309a, 65-6311, 65-6404, 65-6405a, 65-6408, 65-6610, 65-6612, 65-6615, 74-5316a, 74-5324, 74-5363, 74-5367a and 74-5369 and K.S.A. 2020 Supp. 65-6306 and 65-6411 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2209**, AN ACT concerning the behavioral sciences; relating to psychology; practice and licensing thereof; enacting the psychology interjurisdictional compact; providing for interjurisdictional authorization to practice telepsychology and temporary in-person, face-to-face psychology, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 3; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Fairchild, Helmer, Rhiley.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2228**, AN ACT concerning sexual assault evidence kits; relating to submission of kits by law enforcement agencies; conducting evidence collection at child advocacy centers; amending K.S.A. 65-448 and K.S.A. 2020 Supp. 38-2227 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2234**, AN ACT concerning emergency medical services; relating to medical directors; requiring provision of medical oversight; amending K.S.A. 2020 Supp. 65-6112, 65-6124 and 65-6126 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Helmer.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2279**, AN ACT concerning physical therapy; enacting the physical therapy licensure compact; providing for interstate practice authority for physical therapists in compact states; authorizing criminal history record checks; amending K.S.A. 65-2912, 65-2920 and 65-2923 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Fairchild, Jacobs.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

#### EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **HB 2279**. While I support the concept of entering into this compact, I oppose this bill because it requires physical therapists to be fingerprinted and undergo a criminal background check. The bill even goes so far as to authorize a member state to obtain biometric-based information from each physical therapist licensure applicant and give that information to the federal government. I don't believe that we should enter into a compact which will result in violating the civil liberties of the people of our state. — BRETT FAIRCHILD

**HB 2280**, AN ACT concerning the state board of pharmacy; relating to powers, duties and functions thereof; pertaining to confidentiality of investigations, inspections and audits; licensing; registration and permitting requirements; exhibition of titles; fees; prescription orders; defining telepharmacy and requiring rules and regulations be adopted for oversight and administration thereof; amending K.S.A. 65-636, 65-1627, 65-1631, 65-1637, 65-1643, 65-1645, 65-1656, 65-1657, 65-1658, 65-1663 and 65-1676 and K.S.A. 2020 Supp. 65-1626 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 8; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delpendang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Parker, F. Patton, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burris, Fairchild, Garber, Howe, Jacobs, Owens, Penn, Rhiley.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2332**, AN ACT concerning elections; relating to advance voting ballots; requiring identification of the sender on third party solicitations to registered voters to file an application for an advance voting ballot; prohibiting such solicitations by persons located outside this state; penalties for violations; amending K.S.A. 2020 Supp. 25-1122 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 86; Nays 38; Present but not voting: 0; Absent or not voting: 1.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delpendang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Francis, French, Garber, Hawkins, Helmer, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Finney, Gartner, Haswood, Helgerson, Henderson, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Rhiley, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2361**, AN ACT concerning courts; relating to specialty courts; authorizing the supreme court to adopt rules related thereto; establishing the specialty court funding advisory committee and the specialty court resources fund; amending K.S.A. 2020 Supp. 21-6604 and 21-6614 and repealing the existing sections, was considered on final

action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 1; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Seiwert.

Present but not voting: French.

Absent or not voting: Howard.

The bill passed.

**HB 2362**, AN ACT concerning crimes, punishment and criminal procedure; relating to abuse of a child; modifying the elements of the offense; increasing criminal penalties thereof; amending K.S.A. 2020 Supp. 21-5602 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2377**, AN ACT concerning driving; relating to driving under the influence; authorizing reinstatement of a driver's license for certain persons with an ignition interlock device restriction; removing the motorized bicycle license option for persons whose driving privileges are suspended for a DUI-related offense; allowing certain persons disqualified from driving a commercial motor vehicle to have commercial driving privileges restored; modifying the criminal penalties for driving a commercial motor vehicle under the influence and driving under the influence, authorizing courts to waive certain fines and clarifying that amendment or dismissal of certain charges is permitted; allowing persons with suspended driving privileges to seek driving privileges restricted to driving only a motor vehicle equipped with an ignition interlock device earlier in the suspension period; requiring persons with an ignition interlock device restriction to complete the ignition interlock device program before driving privileges are fully reinstated; requiring the secretary of revenue to adopt certain rules and regulations related to ignition interlock devices; providing for reduced ignition interlock device program costs for certain persons; reducing the restricted driving privileges period for certain persons less than 21 years of age; clarifying that a city attorney or a county or district attorney shall not enter into a diversion agreement for certain traffic violations if the defendant is a commercial driver's license holder; amending K.S.A. 8-1016 and K.S.A. 2020 Supp. 8-235, 8-2,142, 8-2,144, 8-1015, 8-1567, 8-1567a, 12-4415 and 22-2908 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 101; Nays 23; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finney, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Hoye, Huebert, Humphries, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lynn, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Parker, F. Patton, Poskin, Probst, Proehl, Rahjes, Ralph, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Weigel, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Bergquist, Burris, B. Carpenter, Delperdang, Finch, Francis, Helmer, Howe, Jacobs, Jennings, Lee-Hahn, Long, Mason, Owens, Penn, Poetter, Proctor, Resman, Rhiley, Seiwert, Thomas, Waymaster, Wheeler.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

### **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Waymaster, the House nonconcurred in Senate amendments to **HB 2022** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Waymaster, Hoffman and Wolfe Moore as conferees on the part of the House.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Landwehr in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Landwehr, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2085, HB 2295, HB 2245, HB 2218** be passed.

Committee report to **HB 2416** be adopted.

Also, on motion of Rep. Highberger to amend **HB 2416**, the motion did not prevail.

Also, on motion of Rep. Kuether to amend **HB 2416**, the motion did not prevail.

Also, on motion of Rep. Curtis to amend **HB 2416**, the motion did not prevail.

Also, on motion of Rep. Ohaebosim to amend **HB 2416**, the motion did not prevail.

Also, on motion of Rep. Probst to amend **HB 2416**, the motion did not prevail; and the bill be passed as amended.

Committee report to **HB 2126** be adopted.

Also, on motion of Rep. Lee-Hahn to amend **HB 2126**, Rep. Carmichael requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and the bill be passed and the bill be passed as amended.

Committee report to **HB 2088** be adopted; and the bill be passed as amended.

Committee report to **HB 2227** be adopted; and the bill be passed as amended.

Committee report to **HB 2224** be adopted; and the bill be passed as amended.

Committee report to **HB 2039** be adopted; and the bill be passed as amended.

Committee report to **HB 2379** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **HB 2196** be adopted.

Also, on motion of Rep. Miller to amend **Substitute for HB 2196**, on page 13, following line 12, by inserting:

"Sec. 8. K.S.A. 2020 Supp. 44-706 is hereby amended to read as follows: 44-706. The secretary shall examine whether an individual has separated from employment for each week claimed. The secretary shall apply the provisions of this section to the individual's most recent employment prior to the week claimed. An individual shall be disqualified for benefits:

(a) If the individual left work voluntarily without good cause attributable to the work or the employer, subject to the other provisions of this subsection. For purposes of this subsection, "good cause" is cause of such gravity that would impel a reasonable, not supersensitive, individual exercising ordinary common sense to leave employment. Good cause requires a showing of good faith of the individual leaving work, including the presence of a genuine desire to work. Failure to return to work after expiration of approved personal or medical leave, or both, shall be considered a voluntary resignation. After a temporary job assignment, failure of an individual to affirmatively request an additional assignment on the next succeeding workday, if required by the employment agreement, after completion of a given work assignment, shall constitute leaving work voluntarily. The disqualification shall begin the day following the separation and shall continue until after the individual has become reemployed and has

had earnings from insured work of at least three times the individual's weekly benefit amount. An individual shall not be disqualified under this subsection if:

(1) The individual was forced to leave work because of illness or injury upon the advice of a licensed and practicing health care provider and, upon learning of the necessity for absence, immediately notified the employer thereof, or the employer consented to the absence, and after recovery from the illness or injury, when recovery was certified by a practicing health care provider, the individual returned to the employer and offered to perform services and the individual's regular work or comparable and suitable work was not available. As used in this paragraph "health care provider" means any person licensed by the proper licensing authority of any state to engage in the practice of medicine and surgery, osteopathy, chiropractic, dentistry, optometry, podiatry or psychology;

(2) the individual left temporary work to return to the regular employer;

(3) the individual left work to enlist in the armed forces of the United States, but was rejected or delayed from entry;

(4) the spouse of an individual who is a member of the armed forces of the United States who left work because of the voluntary or involuntary transfer of the individual's spouse from one job to another job, which is for the same employer or for a different employer, at a geographic location which makes it unreasonable for the individual to continue work at the individual's job. For the purposes of this provision the term "armed forces" means active duty in the army, navy, marine corps, air force, coast guard or any branch of the military reserves of the United States;

(5) the individual left work because of hazardous working conditions; in determining whether or not working conditions are hazardous for an individual, the degree of risk involved to the individual's health, safety and morals, the individual's physical fitness and prior training and the working conditions of workers engaged in the same or similar work for the same and other employers in the locality shall be considered; as used in this paragraph, "hazardous working conditions" means working conditions that could result in a danger to the physical or mental well-being of the individual; each determination as to whether hazardous working conditions exist shall include, but shall not be limited to, a consideration of: (A) The safety measures used or the lack thereof; and (B) the condition of equipment or lack of proper equipment; no work shall be considered hazardous if the working conditions surrounding the individual's work are the same or substantially the same as the working conditions generally prevailing among individuals performing the same or similar work for other employers engaged in the same or similar type of activity;

(6) the individual left work to enter training approved under section 236(a)(1) of the federal trade act of 1974, provided the work left is not of a substantially equal or higher skill level than the individual's past adversely affected employment, as defined for purposes of the federal trade act of 1974, and wages for such work are not less than 80% of the individual's average weekly wage as determined for the purposes of the federal trade act of 1974;

(7) the individual left work because of unwelcome harassment of the individual by the employer or another employee of which the employing unit had knowledge and that would impel the average worker to give up such worker's employment;

(8) the individual left work to accept better work; each determination as to whether or not the work accepted is better work shall include, but shall not be limited to,

consideration of: (A) The rate of pay, the hours of work and the probable permanency of the work left as compared to the work accepted; (B) the cost to the individual of getting to the work left in comparison to the cost of getting to the work accepted; and (C) the distance from the individual's place of residence to the work accepted in comparison to the distance from the individual's residence to the work left;

(9) the individual left work as a result of being instructed or requested by the employer, a supervisor or a fellow employee to perform a service or commit an act in the scope of official job duties which is in violation of an ordinance or statute;

(10) the individual left work because of a substantial violation of the work agreement by the employing unit and, before the individual left, the individual had exhausted all remedies provided in such agreement for the settlement of disputes before terminating. For the purposes of this paragraph, a demotion based on performance does not constitute a violation of the work agreement;

(11) after making reasonable efforts to preserve the work, the individual left work due to a personal emergency of such nature and compelling urgency that it would be contrary to good conscience to impose a disqualification; or

(12) (A) the individual left work due to circumstances resulting from domestic violence, including:

(i) The individual's reasonable fear of future domestic violence at or en route to or from the individual's place of employment;

(ii) the individual's need to relocate to another geographic area in order to avoid future domestic violence;

(iii) the individual's need to address the physical, psychological and legal impacts of domestic violence;

(iv) the individual's need to leave employment as a condition of receiving services or shelter from an agency which provides support services or shelter to victims of domestic violence; or

(v) the individual's reasonable belief that termination of employment is necessary to avoid other situations which may cause domestic violence and to provide for the future safety of the individual or the individual's family.

(B) An individual may prove the existence of domestic violence by providing one of the following:

(i) A restraining order or other documentation of equitable relief by a court of competent jurisdiction;

(ii) a police record documenting the abuse;

(iii) documentation that the abuser has been convicted of one or more of the offenses enumerated in articles 34 and 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54 or 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2020 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through 21-6422, and amendments thereto, where the victim was a family or household member;

(iv) medical documentation of the abuse;

(v) a statement provided by a counselor, social worker, health care provider, clergy, shelter worker, legal advocate, domestic violence or sexual assault advocate or other professional who has assisted the individual in dealing with the effects of abuse on the individual or the individual's family; or

(vi) a sworn statement from the individual attesting to the abuse.

(C) No evidence of domestic violence experienced by an individual, including the

individual's statement and corroborating evidence, shall be disclosed by the department of labor unless consent for disclosure is given by the individual.

(b) If the individual has been discharged or suspended for misconduct connected with the individual's work. The disqualification shall begin the day following the separation and shall continue until after the individual becomes reemployed and in cases where the disqualification is due to discharge for misconduct has had earnings from insured work of at least three times the individual's determined weekly benefit amount, except that if an individual is discharged for gross misconduct connected with the individual's work, such individual shall be disqualified for benefits until such individual again becomes employed and has had earnings from insured work of at least eight times such individual's determined weekly benefit amount. In addition, all wage credits attributable to the employment from which the individual was discharged for gross misconduct connected with the individual's work shall be canceled. No such cancellation of wage credits shall affect prior payments made as a result of a prior separation.

(1) For the purposes of this subsection, "misconduct" is defined as a violation of a duty or obligation reasonably owed the employer as a condition of employment including, but not limited to, a violation of a company rule, including a safety rule, if: (A) The individual knew or should have known about the rule; (B) the rule was lawful and reasonably related to the job; and (C) the rule was fairly and consistently enforced.

(2) (A) Failure of the employee to notify the employer of an absence and an individual's leaving work prior to the end of such individual's assigned work period without permission shall be considered prima facie evidence of a violation of a duty or obligation reasonably owed the employer as a condition of employment.

(B) For the purposes of this subsection, misconduct shall include, but not be limited to, violation of the employer's reasonable attendance expectations if the facts show:

- (i) The individual was absent or tardy without good cause;
- (ii) the individual had knowledge of the employer's attendance expectation; and
- (iii) the employer gave notice to the individual that future absence or tardiness may or will result in discharge.

(C) For the purposes of this subsection, if an employee disputes being absent or tardy without good cause, the employee shall present evidence that a majority of the employee's absences or tardiness were for good cause. If the employee alleges that the employee's repeated absences or tardiness were the result of health related issues, such evidence shall include documentation from a licensed and practicing health care provider as defined in subsection (a)(1).

(3) (A) The term "gross misconduct" as used in this subsection shall be construed to mean conduct evincing extreme, willful or wanton misconduct as defined by this subsection. Gross misconduct shall include, but not be limited to: (i) Theft; (ii) fraud; (iii) intentional damage to property; (iv) intentional infliction of personal injury; or (v) any conduct that constitutes a felony.

(B) For the purposes of this subsection, the following shall be conclusive evidence of gross misconduct:

(i) The use of alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance by an individual while working;

(ii) the impairment caused by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance by an individual while working;

- (iii) a positive breath alcohol test or a positive chemical test, provided:
  - (a) The test was either:
    - (1) Required by law and was administered pursuant to the drug free workplace act, 41 U.S.C. § 701 et seq.;
    - (2) administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;
    - (3) requested pursuant to a written policy of the employer of which the employee had knowledge and was a required condition of employment;
    - (4) required by law and the test constituted a required condition of employment for the individual's job; or
    - (5) there was reasonable suspicion to believe that the individual used, had possession of, or was impaired by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance while working;
  - (b) the test sample was collected either:
    - (1) As prescribed by the drug free workplace act, 41 U.S.C. § 701 et seq.;
    - (2) as prescribed by an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;
    - (3) as prescribed by the written policy of the employer of which the employee had knowledge and which constituted a required condition of employment;
    - (4) as prescribed by a test which was required by law and which constituted a required condition of employment for the individual's job; or
    - (5) at a time contemporaneous with the events establishing probable cause;
  - (c) the collecting and labeling of a chemical test sample was performed by a licensed health care professional or any other individual certified pursuant to paragraph (b)(3)(A)(iii)(f) or authorized to collect or label test samples by federal or state law, or a federal or state rule or regulation having the force or effect of law, including law enforcement personnel;
  - (d) the chemical test was performed by a laboratory approved by the United States department of health and human services or licensed by the department of health and environment, except that a blood sample may be tested for alcohol content by a laboratory commonly used for that purpose by state law enforcement agencies;
  - (e) the chemical test was confirmed by gas chromatography, gas chromatography-mass spectroscopy or other comparably reliable analytical method, except that no such confirmation is required for a blood alcohol sample or a breath alcohol test;
  - (f) the breath alcohol test was administered by an individual trained to perform breath tests, the breath testing instrument used was certified and operated strictly according to a description provided by the manufacturers and the reliability of the instrument performance was assured by testing with alcohol standards; and
  - (g) the foundation evidence establishes, beyond a reasonable doubt, that the test results were from the sample taken from the individual;
- (iv) an individual's refusal to submit to a chemical test or breath alcohol test, provided:
  - (a) The test meets the standards of the drug free workplace act, 41 U.S.C. § 701 et seq.;
  - (b) the test was administered as part of an employee assistance program or other

drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(c) the test was otherwise required by law and the test constituted a required condition of employment for the individual's job;

(d) the test was requested pursuant to a written policy of the employer of which the employee had knowledge and was a required condition of employment; or

(e) there was reasonable suspicion to believe that the individual used, possessed or was impaired by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance while working;

(v) an individual's dilution or other tampering of a chemical test.

(C) For purposes of this subsection:

(i) "Alcohol concentration" means the number of grams of alcohol per 210 liters of breath;

(ii) "alcoholic liquor" shall be defined as provided in K.S.A. 41-102, and amendments thereto;

(iii) "cereal malt beverage" shall be defined as provided in K.S.A. 41-2701, and amendments thereto;

(iv) "chemical test" shall include, but is not limited to, tests of urine, blood or saliva;

(v) "controlled substance" shall be defined as provided in K.S.A. 2020 Supp. 21-5701, and amendments thereto;

(vi) "required by law" means required by a federal or state law, a federal or state rule or regulation having the force and effect of law, a county resolution or municipal ordinance, or a policy relating to public safety adopted in an open meeting by the governing body of any special district or other local governmental entity;

(vii) "positive breath test" shall mean a test result showing an alcohol concentration of 0.04 or greater, or the levels listed in 49 C.F.R. part 40, if applicable, unless the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment, in which case "positive chemical test" shall mean a test result showing an alcohol concentration at or above the levels provided for in the assistance or treatment program;

(viii) "positive chemical test" shall mean a chemical result showing a concentration at or above the levels listed in K.S.A. 44-501, and amendments thereto, or 49 C.F.R. part 40, as applicable, for the drugs or abuse listed therein, unless the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment, in which case "positive chemical test" shall mean a chemical result showing a concentration at or above the levels provided for in the assistance or treatment program.

(4) An individual shall not be disqualified under this subsection if the individual is discharged under the following circumstances:

(A) The employer discharged the individual after learning the individual was seeking other work or when the individual gave notice of future intent to quit, except that the individual shall be disqualified after the time at which such individual intended to quit and any individual who commits misconduct after such individual gives notice to such individual's intent to quit shall be disqualified;

(B) the individual was making a good-faith effort to do the assigned work but was discharged due to:

- (i) Inefficiency;
- (ii) unsatisfactory performance due to inability, incapacity or lack of training or experience;
- (iii) isolated instances of ordinary negligence or inadvertence;
- (iv) good-faith errors in judgment or discretion; or
- (v) unsatisfactory work or conduct due to circumstances beyond the individual's control; or

(C) the individual's refusal to perform work in excess of the contract of hire.

(c) If the individual has failed, without good cause, to either apply for suitable work when so directed by the employment office of the secretary of labor, or to accept suitable work when offered to the individual by the employment office, the secretary of labor, or an employer, such disqualification shall begin with the week in which such failure occurred and shall continue until the individual becomes reemployed and has had earnings from insured work of at least three times such individual's determined weekly benefit amount. In determining whether or not any work is suitable for an individual, the secretary of labor, or a person or persons designated by the secretary, shall consider the degree of risk involved to health, safety and morals, physical fitness and prior training, experience and prior earnings, length of unemployment and prospects for securing local work in the individual's customary occupation or work for which the individual is reasonably fitted by training or experience, and the distance of the available work from the individual's residence. Notwithstanding any other provisions of this act, an otherwise eligible individual shall not be disqualified for refusing an offer of suitable employment, or failing to apply for suitable employment when notified by an employment office, or for leaving the individual's most recent work accepted during approved training, including training approved under section 236(a)(1) of the trade act of 1974, if the acceptance of or applying for suitable employment or continuing such work would require the individual to terminate approved training and no work shall be deemed suitable and benefits shall not be denied under this act to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (1) If the position offered is vacant due directly to a strike, lockout or other labor dispute; (2) if the remuneration, hours or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality; (3) if as a condition of being employed, the individual would be required to join or to resign from or refrain from joining any labor organization; and (4) if the individual left employment as a result of domestic violence, and the position offered does not reasonably accommodate the individual's physical, psychological, safety, or legal needs relating to such domestic violence.

(d) For any week with respect to which the secretary of labor, or a person or persons designated by the secretary, finds that the individual's unemployment is due to a stoppage of work which exists because of a labor dispute or there would have been a work stoppage had normal operations not been maintained with other personnel previously and currently employed by the same employer at the factory, establishment or other premises at which the individual is or was last employed, except that this subsection (d) shall not apply if it is shown to the satisfaction of the secretary of labor, or a person or persons designated by the secretary, that: (1) The individual is not

participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and (2) the individual does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs any of whom are participating in or financing or directly interested in the dispute. If in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department shall, for the purpose of this subsection be deemed to be a separate factory, establishment or other premises. For the purposes of this subsection, failure or refusal to cross a picket line or refusal for any reason during the continuance of such labor dispute to accept the individual's available and customary work at the factory, establishment or other premises where the individual is or was last employed shall be considered as participation and interest in the labor dispute.

(e) For any week with respect to which or a part of which the individual has received or is seeking unemployment benefits under the unemployment compensation law of any other state or of the United States, except that if the appropriate agency of such other state or the United States finally determines that the individual is not entitled to such unemployment benefits, this disqualification shall not apply.

(f) For any week with respect to which the individual is entitled to receive any unemployment allowance or compensation granted by the United States under an act of congress to ex-service men and women in recognition of former service with the military or naval services of the United States.

(g) For the period of ~~five~~ two years for the first occurrence or the lifetime of the individual for a second occurrence beginning with the first day following the last week of unemployment for which the individual received benefits, or for ~~five~~ two years for the first occurrence or the lifetime of the individual for a second occurrence from the date the act was committed, whichever is the later, if the individual, or another in such individual's behalf with the knowledge of the individual, has knowingly made a false statement or representation, or has knowingly failed to disclose a material fact to obtain or increase benefits under this act or any other unemployment compensation law administered by the secretary of labor. In addition to the penalties set forth in K.S.A. 44-719, and amendments thereto, an individual who has knowingly made a false statement or representation or who has knowingly failed to disclose a material fact to obtain or increase benefits under this act or any other unemployment compensation law administered by the secretary of labor shall be liable for a penalty in the amount equal to 25% of the amount of benefits unlawfully received. Notwithstanding any other provision of law, such penalty shall be deposited into the employment security trust fund.

(h) For any week with respect to which the individual is receiving compensation for temporary total disability or permanent total disability under the workmen's compensation law of any state or under a similar law of the United States.

(i) For any week of unemployment on the basis of service in an instructional, research or principal administrative capacity for an educational institution as defined in K.S.A. 44-703(v), and amendments thereto, if such week begins during the period between two successive academic years or terms or, when an agreement provides instead for a similar period between two regular but not successive terms during such period or during a period of paid sabbatical leave provided for in the individual's

contract, if the individual performs such services in the first of such academic years or terms and there is a contract or a reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms.

(j) For any week of unemployment on the basis of service in any capacity other than service in an instructional, research, or administrative capacity in an educational institution, as defined in K.S.A. 44-703(v), and amendments thereto, if such week begins during the period between two successive academic years or terms if the individual performs such services in the first of such academic years or terms and there is a reasonable assurance that the individual will perform such services in the second of such academic years or terms, except that if benefits are denied to the individual under this subsection and the individual was not offered an opportunity to perform such services for the educational institution for the second of such academic years or terms, such individual shall be entitled to a retroactive payment of benefits for each week for which the individual filed a timely claim for benefits and for which benefits were denied solely by reason of this subsection.

(k) For any week of unemployment on the basis of service in any capacity for an educational institution as defined in K.S.A. 44-703(v), and amendments thereto, if such week begins during an established and customary vacation period or holiday recess, if the individual performs services in the period immediately before such vacation period or holiday recess and there is a reasonable assurance that such individual will perform such services in the period immediately following such vacation period or holiday recess.

(l) For any week of unemployment on the basis of any services, substantially all of which consist of participating in sports or athletic events or training or preparing to so participate, if such week begins during the period between two successive sport seasons or similar period if such individual performed services in the first of such seasons or similar periods and there is a reasonable assurance that such individual will perform such services in the later of such seasons or similar periods.

(m) For any week on the basis of services performed by an alien unless such alien is an individual who was lawfully admitted for permanent residence at the time such services were performed, was lawfully present for purposes of performing such services, or was permanently residing in the United States under color of law at the time such services were performed, including an alien who was lawfully present in the United States as a result of the application of the provisions of section 212(d)(5) of the federal immigration and nationality act. Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits. In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to such individual are not payable because of such individual's alien status shall be made except upon a preponderance of the evidence.

(n) For any week in which an individual is receiving a governmental or other pension, retirement or retired pay, annuity or other similar periodic payment under a plan maintained by a base period employer and to which the entire contributions were provided by such employer, except that: (1) If the entire contributions to such plan were provided by the base period employer but such individual's weekly benefit amount exceeds such governmental or other pension, retirement or retired pay, annuity or other

similar periodic payment attributable to such week, the weekly benefit amount payable to the individual shall be reduced, but not below zero, by an amount equal to the amount of such pension, retirement or retired pay, annuity or other similar periodic payment which is attributable to such week; or (2) if only a portion of contributions to such plan were provided by the base period employer, the weekly benefit amount payable to such individual for such week shall be reduced, but not below zero, by the prorated weekly amount of the pension, retirement or retired pay, annuity or other similar periodic payment after deduction of that portion of the pension, retirement or retired pay, annuity or other similar periodic payment that is directly attributable to the percentage of the contributions made to the plan by such individual; or (3) if the entire contributions to the plan were provided by such individual, or by the individual and an employer, or any person or organization, who is not a base period employer, no reduction in the weekly benefit amount payable to the individual for such week shall be made under this subsection; or (4) whatever portion of contributions to such plan were provided by the base period employer, if the services performed for the employer by such individual during the base period, or remuneration received for the services, did not affect the individual's eligibility for, or increased the amount of, such pension, retirement or retired pay, annuity or other similar periodic payment, no reduction in the weekly benefit amount payable to the individual for such week shall be made under this subsection. No reduction shall be made for payments made under the social security act or railroad retirement act of 1974.

(o) For any week of unemployment on the basis of services performed in any capacity and under any of the circumstances described in subsection (i), (j) or (k) which an individual performed in an educational institution while in the employ of an educational service agency. For the purposes of this subsection, the term "educational service agency" means a governmental agency or entity which is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

(p) For any week of unemployment on the basis of service as a school bus or other motor vehicle driver employed by a private contractor to transport pupils, students and school personnel to or from school-related functions or activities for an educational institution, as defined in K.S.A. 44-703(v), and amendments thereto, if such week begins during the period between two successive academic years or during a similar period between two regular terms, whether or not successive, if the individual has a contract or contracts, or a reasonable assurance thereof, to perform services in any such capacity with a private contractor for any educational institution for both such academic years or both such terms. An individual shall not be disqualified for benefits as provided in this subsection for any week of unemployment on the basis of service as a bus or other motor vehicle driver employed by a private contractor to transport persons to or from nonschool-related functions or activities.

(q) For any week of unemployment on the basis of services performed by the individual in any capacity and under any of the circumstances described in subsection (i), (j), (k) or (o) which are provided to or on behalf of an educational institution, as defined in K.S.A. 44-703(v), and amendments thereto, while the individual is in the employ of an employer which is a governmental entity, Indian tribe or any employer described in section 501(c)(3) of the federal internal revenue code of 1986 which is exempt from income under section 501(a) of the code.

(r) For any week in which an individual is registered at and attending an established school, training facility or other educational institution, or is on vacation during or between two successive academic years or terms. An individual shall not be disqualified for benefits as provided in this subsection provided:

(1) The individual was engaged in full-time employment concurrent with the individual's school attendance;

(2) the individual is attending approved training as defined in K.S.A. 44-703(s), and amendments thereto; or

(3) the individual is attending evening, weekend or limited day time classes, which would not affect availability for work, and is otherwise eligible under K.S.A. 44-705(c), and amendments thereto.

(s) For any week with respect to which an individual is receiving or has received remuneration in the form of a back pay award or settlement. The remuneration shall be allocated to the week or weeks in the manner as specified in the award or agreement, or in the absence of such specificity in the award or agreement, such remuneration shall be allocated to the week or weeks in which such remuneration, in the judgment of the secretary, would have been paid.

(1) For any such weeks that an individual receives remuneration in the form of a back pay award or settlement, an overpayment will be established in the amount of unemployment benefits paid and shall be collected from the claimant.

(2) If an employer chooses to withhold from a back pay award or settlement, amounts paid to a claimant while they claimed unemployment benefits, such employer shall pay the department the amount withheld. With respect to such amount, the secretary shall have available all of the collection remedies authorized or provided in K.S.A. 44-717, and amendments thereto.

(t) (1) Any applicant for or recipient of unemployment benefits who tests positive for unlawful use of a controlled substance or controlled substance analog shall be required to complete a substance abuse treatment program approved by the secretary of labor, secretary of commerce or secretary for children and families, and a job skills program approved by the secretary of labor, secretary of commerce or the secretary for children and families. Subject to applicable federal laws, any applicant for or recipient of unemployment benefits who fails to complete or refuses to participate in the substance abuse treatment program or job skills program as required under this subsection shall be ineligible to receive unemployment benefits until completion of such substance abuse treatment and job skills programs. Upon completion of both substance abuse treatment and job skills programs, such applicant for or recipient of unemployment benefits may be subject to periodic drug screening, as determined by the secretary of labor. Upon a second positive test for unlawful use of a controlled substance or controlled substance analog, an applicant for or recipient of unemployment benefits shall be ordered to complete again a substance abuse treatment program and job skills program, and shall be terminated from unemployment benefits for a period of 12 months, or until such applicant for or recipient of unemployment benefits completes both substance abuse treatment and job skills programs, whichever is later. Upon a third positive test for unlawful use of a controlled substance or controlled substance analog, an applicant for or a recipient of unemployment benefits shall be terminated from receiving unemployment benefits, subject to applicable federal law.

(2) Any individual who has been discharged or refused employment for failing a

preemployment drug screen required by an employer may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any such individual who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening.

(u) If the individual was found not to have a disqualifying adjudication or conviction under K.S.A. 39-970 or 65-5117, and amendments thereto, was hired and then was subsequently convicted of a disqualifying felony under K.S.A. 39-970 or 65-5117, and amendments thereto, and discharged pursuant to K.S.A. 39-970 or 65-5117, and amendments thereto. The disqualification shall begin the day following the separation and shall continue until after the individual becomes reemployed and has had earnings from insured work of at least three times the individual's determined weekly benefit amount.

(v) Notwithstanding the provisions of any subsection, an individual shall not be disqualified for such week of part-time employment in a substitute capacity for an educational institution if such individual's most recent employment prior to the individual's benefit year begin date was for a non-educational institution and such individual demonstrates application for work in such individual's customary occupation or for work for which the individual is reasonably fitted by training or experience.";

On page 85, in line 2, after the first comma by inserting "44-706,";

And by renumbering sections accordingly;

On page 1, in the title, in line 18, after the semicolon by inserting "changing the benefit disqualification period for fraud;"; in line 19, after the third comma by inserting "44-706,"

Also, on motion of Rep. Clayton, **Substitute for HB 2196** be amended on page 80, in line 17, after "boards" by inserting ", labor unions"

Also, roll call was demanded on motion of Rep. Clayton to amend **Substitute for HB 2196**, on page 37, in line 17, by striking "and ending before April 1, 2021,"; in line 31, by striking all after "(l)"; by striking all in lines 32 through 37; in line 38, by striking "(m)"

On roll call, the vote was: Yeas 39; Nays 83; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Present but not voting: None.

Absent or not voting: Howard, Rahjes, Seiwert.

The motion of Rep. Clayton did not prevail.

Also, roll call was demanded on motion of Rep. Probst to amend **Substitute for HB 2196** on page 13, following line 12, by inserting:

"Sec. 8. K.S.A. 2020 Supp. 44-706 is hereby amended to read as follows: 44-706. The secretary shall examine whether an individual has separated from employment for each week claimed. The secretary shall apply the provisions of this section to the individual's most recent employment prior to the week claimed. An individual shall be disqualified for benefits:

(a) If the individual left work voluntarily without good cause attributable to the work or the employer, subject to the other provisions of this subsection. For purposes of this subsection, "good cause" is cause of such gravity that would impel a reasonable, not supersensitive, individual exercising ordinary common sense to leave employment. Good cause requires a showing of good faith of the individual leaving work, including the presence of a genuine desire to work. Failure to return to work after expiration of approved personal or medical leave, or both, shall be considered a voluntary resignation. After a temporary job assignment, failure of an individual to affirmatively request an additional assignment on the next succeeding workday, if required by the employment agreement, after completion of a given work assignment, shall constitute leaving work voluntarily. The disqualification shall begin the day following the separation and shall continue until after the individual has become reemployed and has had earnings from insured work of at least three times the individual's weekly benefit amount. An individual shall not be disqualified under this subsection if:

(1) The individual was forced to leave work because of illness or injury upon the advice of a licensed and practicing health care provider and, upon learning of the necessity for absence, immediately notified the employer thereof, or the employer consented to the absence, and after recovery from the illness or injury, when recovery was certified by a practicing health care provider, the individual returned to the employer and offered to perform services and the individual's regular work or comparable and suitable work was not available. As used in this paragraph "health care provider" means any person licensed by the proper licensing authority of any state to engage in the practice of medicine and surgery, osteopathy, chiropractic, dentistry, optometry, podiatry or psychology;

(2) the individual left temporary work to return to the regular employer;

(3) the individual left work to enlist in the armed forces of the United States, but was rejected or delayed from entry;

(4) the spouse of an individual who is a member of the armed forces of the United States who left work because of the voluntary or involuntary transfer of the individual's spouse from one job to another job, which is for the same employer or for a different employer, at a geographic location which makes it unreasonable for the individual to continue work at the individual's job. For the purposes of this provision the term "armed forces" means active duty in the army, navy, marine corps, air force, coast guard or any branch of the military reserves of the United States;

(5) the individual left work because of hazardous working conditions; in determining whether or not working conditions are hazardous for an individual, the degree of risk involved to the individual's health, safety and morals, the individual's

physical fitness and prior training and the working conditions of workers engaged in the same or similar work for the same and other employers in the locality shall be considered; as used in this paragraph, "hazardous working conditions" means working conditions that could result in a danger to the physical or mental well-being of the individual; each determination as to whether hazardous working conditions exist shall include, but shall not be limited to, a consideration of: (A) The safety measures used or the lack thereof; and (B) the condition of equipment or lack of proper equipment; no work shall be considered hazardous if the working conditions surrounding the individual's work are the same or substantially the same as the working conditions generally prevailing among individuals performing the same or similar work for other employers engaged in the same or similar type of activity;

(6) the individual left work to enter training approved under section 236(a)(1) of the federal trade act of 1974, provided the work left is not of a substantially equal or higher skill level than the individual's past adversely affected employment, as defined for purposes of the federal trade act of 1974, and wages for ~~such the~~ work are not less than 80% of the individual's average weekly wage as determined for the purposes of the federal trade act of 1974;

(7) the individual left work because of unwelcome harassment of the individual by the employer or another employee of which the employing unit had knowledge and that would impel the average worker to give up ~~such the~~ worker's employment;

(8) the individual left work to accept better work; each determination as to whether or not the work accepted is better work shall include, but shall not be limited to, consideration of: (A) The rate of pay, the hours of work and the probable permanency of the work left as compared to the work accepted; (B) the cost to the individual of getting to the work left in comparison to the cost of getting to the work accepted; and (C) the distance from the individual's place of residence to the work accepted in comparison to the distance from the individual's residence to the work left;

(9) the individual left work as a result of being instructed or requested by the employer, a supervisor or a fellow employee to perform a service or commit an act in the scope of official job duties which is in violation of an ordinance or statute;

(10) the individual left work because of a substantial violation of the work agreement by the employing unit and, before the individual left, the individual had exhausted all remedies provided in ~~such the~~ agreement for the settlement of disputes before terminating. For the purposes of this paragraph, a demotion based on performance does not constitute a violation of the work agreement;

(11) after making reasonable efforts to preserve the work, the individual left work due to a personal emergency of such nature and compelling urgency that it would be contrary to good conscience to impose a disqualification; or

(12) (A) the individual left work due to circumstances resulting from domestic violence, including:

(i) The individual's reasonable fear of future domestic violence at or en route to or from the individual's place of employment;

(ii) the individual's need to relocate to another geographic area in order to avoid future domestic violence;

(iii) the individual's need to address the physical, psychological and legal impacts of domestic violence;

(iv) the individual's need to leave employment as a condition of receiving services

or shelter from an agency which provides support services or shelter to victims of domestic violence; or

(v) the individual's reasonable belief that termination of employment is necessary to avoid other situations which may cause domestic violence and to provide for the future safety of the individual or the individual's family.

(B) An individual may prove the existence of domestic violence by providing one of the following:

(i) A restraining order or other documentation of equitable relief by a court of competent jurisdiction;

(ii) a police record documenting the abuse;

(iii) documentation that the abuser has been convicted of one or more of the offenses enumerated in articles 34 and 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54 or 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2020 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through 21-6422, and amendments thereto, where the victim was a family or household member;

(iv) medical documentation of the abuse;

(v) a statement provided by a counselor, social worker, health care provider, clergy, shelter worker, legal advocate, domestic violence or sexual assault advocate or other professional who has assisted the individual in dealing with the effects of abuse on the individual or the individual's family; or

(vi) a sworn statement from the individual attesting to the abuse.

(C) No evidence of domestic violence experienced by an individual, including the individual's statement and corroborating evidence, shall be disclosed by the department of labor unless consent for disclosure is given by the individual.

(b) If the individual has been discharged or suspended for misconduct connected with the individual's work. The disqualification shall begin the day following the separation and shall continue until after the individual becomes reemployed and in cases where the disqualification is due to discharge for misconduct has had earnings from insured work of at least three times the individual's determined weekly benefit amount, except that if an individual is discharged for gross misconduct connected with the individual's work, ~~such the~~ individual shall be disqualified for benefits until ~~such the~~ individual again becomes employed and has had earnings from insured work of at least eight times ~~such the~~ individual's determined weekly benefit amount. In addition, all wage credits attributable to the employment from which the individual was discharged for gross misconduct connected with the individual's work shall be canceled. No ~~such~~ cancellation of wage credits shall affect prior payments made as a result of a prior separation.

(1) For the purposes of this subsection, "misconduct" is defined as a violation of a duty or obligation reasonably owed the employer as a condition of employment including, but not limited to, a violation of a company rule, including a safety rule, if: (A) The individual knew or should have known about the rule; (B) the rule was lawful and reasonably related to the job; and (C) the rule was fairly and consistently enforced.

(2) (A) Failure of the employee to notify the employer of an absence and an individual's leaving work prior to the end of ~~such the~~ individual's assigned work period without permission shall be considered prima facie evidence of a violation of a duty or obligation reasonably owed the employer as a condition of employment.

(B) For the purposes of this subsection, misconduct shall include, but not be limited

to, violation of the employer's reasonable attendance expectations if the facts show:

- (i) The individual was absent or tardy without good cause;
- (ii) the individual had knowledge of the employer's attendance expectation; and
- (iii) the employer gave notice to the individual that future absence or tardiness may or will result in discharge.

(C) For the purposes of this subsection, if an employee disputes being absent or tardy without good cause, the employee shall present evidence that a majority of the employee's absences or tardiness were for good cause. If the employee alleges that the employee's repeated absences or tardiness were the result of health related issues, ~~such~~ the evidence shall include documentation from a licensed and practicing health care provider as defined in subsection (a)(1).

(3) (A) The term "gross misconduct" as used in this subsection shall be construed to mean conduct evincing extreme, willful or wanton misconduct as defined by this subsection. Gross misconduct shall include, but not be limited to: (i) Theft; (ii) fraud; (iii) intentional damage to property; (iv) intentional infliction of personal injury; or (v) any conduct that constitutes a felony.

(B) For the purposes of this subsection, the following shall be conclusive evidence of gross misconduct:

(i) The use of alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance by an individual while working;

(ii) the impairment caused by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance by an individual while working;

(iii) a positive breath alcohol test or a positive chemical test, provided:

(a) The test was either:

(1) Required by law and was administered pursuant to the drug free workplace act, 41 U.S.C. § 701 et seq.;

(2) administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(3) requested pursuant to a written policy of the employer of which the employee had knowledge and was a required condition of employment;

(4) required by law and the test constituted a required condition of employment for the individual's job; or

(5) there was reasonable suspicion to believe that the individual used, had possession of, or was impaired by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance while working;

(b) the test sample was collected either:

(1) As prescribed by the drug free workplace act, 41 U.S.C. § 701 et seq.;

(2) as prescribed by an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(3) as prescribed by the written policy of the employer of which the employee had knowledge and which constituted a required condition of employment;

(4) as prescribed by a test which was required by law and which constituted a required condition of employment for the individual's job; or

(5) at a time contemporaneous with the events establishing probable cause;

(c) the collecting and labeling of a chemical test sample was performed by a

licensed health care professional or any other individual certified pursuant to paragraph (b)(3)(A)(iii)(f) or authorized to collect or label test samples by federal or state law, or a federal or state rule or regulation having the force or effect of law, including law enforcement personnel;

(d) the chemical test was performed by a laboratory approved by the United States department of health and human services or licensed by the department of health and environment, except that a blood sample may be tested for alcohol content by a laboratory commonly used for that purpose by state law enforcement agencies;

(e) the chemical test was confirmed by gas chromatography, gas chromatography-mass spectroscopy or other comparably reliable analytical method, except that no ~~such~~ confirmation is required for a blood alcohol sample or a breath alcohol test;

(f) the breath alcohol test was administered by an individual trained to perform breath tests, the breath testing instrument used was certified and operated strictly according to a description provided by the manufacturers and the reliability of the instrument performance was assured by testing with alcohol standards; and

(g) the foundation evidence establishes, beyond a reasonable doubt, that the test results were from the sample taken from the individual;

(iv) an individual's refusal to submit to a chemical test or breath alcohol test, provided:

(a) The test meets the standards of the drug free workplace act, 41 U.S.C. § 701 et seq.;

(b) the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(c) the test was otherwise required by law and the test constituted a required condition of employment for the individual's job;

(d) the test was requested pursuant to a written policy of the employer of which the employee had knowledge and was a required condition of employment; or

(e) there was reasonable suspicion to believe that the individual used, possessed or was impaired by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance while working;

(v) an individual's dilution or other tampering of a chemical test.

(C) For purposes of this subsection:

(i) "Alcohol concentration" means the number of grams of alcohol per 210 liters of breath;

(ii) "alcoholic liquor" ~~shall be defined~~ means the same as provided in K.S.A. 41-102, and amendments thereto;

(iii) "cereal malt beverage" ~~shall be defined~~ means the same as provided in K.S.A. 41-2701, and amendments thereto;

(iv) "chemical test" ~~shall include~~ includes, but is not limited to, tests of urine, blood or saliva;

(v) "controlled substance" ~~shall be defined~~ means the same as provided in K.S.A. 2020 Supp. 21-5701, and amendments thereto;

(vi) "required by law" means required by a federal or state law, a federal or state rule or regulation having the force and effect of law, a county resolution or municipal ordinance, or a policy relating to public safety adopted in an open meeting by the governing body of any special district or other local governmental entity;

(vii) "positive breath test"~~shall mean~~ means a test result showing an alcohol concentration of 0.04 or greater, or the levels listed in 49 C.F.R. part 40, if applicable, unless the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment, in which case "positive chemical test" shall mean a test result showing an alcohol concentration at or above the levels provided for in the assistance or treatment program;

(viii) "positive chemical test"~~shall mean~~ means a chemical result showing a concentration at or above the levels listed in K.S.A. 44-501, and amendments thereto, or 49 C.F.R. part 40, as applicable, for the drugs or abuse listed therein, unless the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment, in which case "positive chemical test"~~shall mean~~ means a chemical result showing a concentration at or above the levels provided for in the assistance or treatment program.

(4) An individual shall not be disqualified under this subsection if the individual is discharged under the following circumstances:

(A) The employer discharged the individual after learning the individual was seeking other work or when the individual gave notice of future intent to quit, except that the individual shall be disqualified after the time at which ~~such the~~ individual intended to quit and any individual who commits misconduct after ~~such the~~ individual gives notice ~~to such of the~~ individual's intent to quit shall be disqualified;

(B) the individual was making a good-faith effort to do the assigned work but was discharged due to:

- (i) Inefficiency;
- (ii) unsatisfactory performance due to inability, incapacity or lack of training or experience;
- (iii) isolated instances of ordinary negligence or inadvertence;
- (iv) good-faith errors in judgment or discretion; or
- (v) unsatisfactory work or conduct due to circumstances beyond the individual's control; or

(C) the individual's refusal to perform work in excess of the contract of hire.

(c) If the individual has failed, without good cause, to either apply for suitable work when so directed by the employment office of the secretary of labor, or to accept suitable work when offered to the individual by the employment office, the secretary of labor, or an employer, ~~such the~~ disqualification shall begin with the week in which ~~such the~~ failure occurred and shall continue until the individual becomes reemployed and has had earnings from insured work of at least three times ~~such the~~ individual's determined weekly benefit amount. In determining whether or not any work is suitable for an individual, the secretary of labor, or a person or persons designated by the secretary, shall consider the degree of risk involved to health, safety and morals, physical fitness and prior training, experience and prior earnings, length of unemployment and prospects for securing local work in the individual's customary occupation or work for which the individual is reasonably fitted by training or experience, and the distance of the available work from the individual's residence. Notwithstanding any other provisions of this act, an otherwise eligible individual shall not be disqualified for refusing an offer of suitable employment, or failing to apply for suitable employment

when notified by an employment office, or for leaving the individual's most recent work accepted during approved training, including training approved under section 236(a)(1) of the trade act of 1974, if the acceptance of or applying for suitable employment or continuing ~~such the individual's most recent~~ work would require the individual to terminate approved training and no work shall be deemed suitable and benefits shall not be denied under this act to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (1) If the position offered is vacant due directly to a strike, lockout or other labor dispute; (2) if the remuneration, hours or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality; (3) if as a condition of being employed, the individual would be required to join or to resign from or refrain from joining any labor organization; and (4) if the individual left employment as a result of domestic violence, and the position offered does not reasonably accommodate the individual's physical, psychological, safety, or legal needs relating to ~~such the~~ domestic violence.

(d) For any week with respect to which the secretary of labor, or a person or persons designated by the secretary, finds that the individual's unemployment is due to a stoppage of work which exists because of a labor dispute or there would have been a work stoppage had normal operations not been maintained with other personnel previously and currently employed by the same employer at the factory, establishment or other premises at which the individual is or was last employed, except that this subsection (d) shall not apply if it is shown to the satisfaction of the secretary of labor, or a person or persons designated by the secretary, that: (1) The individual is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and (2) the individual does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs any of whom are participating in or financing or directly interested in the dispute. If in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each ~~such separate~~ department shall, for the purpose of this subsection be deemed to be a separate factory, establishment or other premises. For the purposes of this subsection, failure or refusal to cross a picket line or refusal for any reason during the continuance of ~~such the~~ labor dispute to accept the individual's available and customary work at the factory, establishment or other premises where the individual is or was last employed shall be considered as participation and interest in the labor dispute.

(e) For any week with respect to which or a part of which the individual has received or is seeking unemployment benefits under the unemployment compensation law of any other state or of the United States, except that if the appropriate agency of ~~such the~~ other state or the United States finally determines that the individual is not entitled to ~~such the~~ unemployment benefits, this disqualification shall not apply.

(f) For any week with respect to which the individual is entitled to receive any unemployment allowance or compensation granted by the United States under an act of congress to ex-service men and women in recognition of former service with the military or naval services of the United States.

(g) For the period of five years beginning with the first day following the last week of unemployment for which the individual received benefits, or for five years from the date the act was committed, whichever is the later, if the individual, or another in ~~such~~

the individual's behalf with the knowledge of the individual, has knowingly made a false statement or representation, or has knowingly failed to disclose a material fact to obtain or increase benefits under this act or any other unemployment compensation law administered by the secretary of labor. In addition to the penalties set forth in K.S.A. 44-719, and amendments thereto, an individual who has knowingly made a false statement or representation or who has knowingly failed to disclose a material fact to obtain or increase benefits under this act or any other unemployment compensation law administered by the secretary of labor shall be liable for a penalty in the amount equal to 25% of the amount of benefits unlawfully received. Notwithstanding any other provision of law, ~~such the~~ penalty shall be deposited into the employment security trust fund.

(h) For any week with respect to which the individual is receiving compensation for temporary total disability or permanent total disability under the workmen's compensation law of any state or under a similar law of the United States.

(i) For any week of unemployment on the basis of service in an instructional, research or principal administrative capacity for an educational institution as defined in K.S.A. 44-703(v), and amendments thereto, if ~~such the~~ week begins during the period between two successive academic years or terms or, when an agreement provides instead for a similar period between two regular but not successive terms during ~~such the~~ period or during a period of paid sabbatical leave provided for in the individual's contract, if the individual performs ~~such the~~ services in the first of ~~such the~~ academic years or terms and there is a contract or a reasonable assurance that ~~such the~~ individual will perform services in ~~any such an instructional, research or principal administrative~~ capacity for any educational institution in the second of ~~such the~~ academic years or terms.

(j) For any week of unemployment on the basis of service in any capacity other than service in an instructional, research, or administrative capacity in an educational institution, as defined in K.S.A. 44-703(v), and amendments thereto, if ~~such the~~ week begins during the period between two successive academic years or terms if the individual performs ~~such the~~ services in the first of ~~such the successive~~ academic years or terms and there is a reasonable assurance that the individual will perform ~~such the~~ services in the second of ~~such the successive~~ academic years or terms, except that if benefits are denied to the individual under this subsection and the individual was not offered an opportunity to perform ~~such the~~ services for the educational institution for the second of ~~such the successive~~ academic years or terms, ~~such the~~ individual shall be entitled to a retroactive payment of benefits for each week for which the individual filed a timely claim for benefits and for which benefits were denied solely by reason of this subsection.

(k) For any week of unemployment on the basis of service in any capacity for an educational institution as defined in K.S.A. 44-703(v), and amendments thereto, if ~~such the~~ week begins during an established and customary vacation period or holiday recess, if the individual performs services in the period immediately before ~~such the~~ vacation period or holiday recess and there is a reasonable assurance that ~~such the~~ individual will perform ~~such the~~ services in the period immediately following ~~such the~~ vacation period or holiday recess.

(l) For any week of unemployment on the basis of any services, substantially all of which consist of participating in sports or athletic events or training or preparing to so

participate, if ~~such the~~ week begins during the period between two successive sport seasons or similar period if ~~such the~~ individual performed services in the first of ~~such the successive~~ seasons or similar periods and there is a reasonable assurance that ~~such the~~ individual will perform ~~such the~~ services in the later of ~~such the successive~~ seasons or similar periods.

(m) For any week on the basis of services performed by an alien unless ~~such the~~ alien is an individual who was lawfully admitted for permanent residence at the time ~~such the~~ services were performed, was lawfully present for purposes of performing ~~such the~~ services, or was permanently residing in the United States under color of law at the time ~~such the~~ services were performed, including an alien who was lawfully present in the United States as a result of the application of the provisions of section 212(d)(5) of the federal immigration and nationality act. Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits. In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to ~~such the~~ individual are not payable because of ~~such the~~ individual's alien status shall be made except upon a preponderance of the evidence.

(n) For any week in which an individual is receiving a governmental or other pension, retirement or retired pay, annuity or other similar periodic payment under a plan maintained by a base period employer and to which the entire contributions were provided by ~~such the~~ employer, except that:

(1) If the entire contributions to ~~such the~~ plan were provided by the base period employer but ~~such the~~ individual's weekly benefit amount exceeds ~~such the~~ governmental or other pension, retirement or retired pay, annuity or other similar periodic payment attributable to ~~such the~~ week, the weekly benefit amount payable to the individual shall be reduced, but not below zero, by an amount equal to the amount of ~~such the~~ pension, retirement or retired pay, annuity or other similar periodic payment which is attributable to ~~such the~~ week; ~~or~~

(2) if only a portion of contributions to ~~such the~~ plan were provided by the base period employer, the weekly benefit amount payable to ~~such the~~ individual for ~~such the~~ week shall be reduced, but not below zero, by the prorated weekly amount of the pension, retirement or retired pay, annuity or other similar periodic payment after deduction of that portion of the pension, retirement or retired pay, annuity or other similar periodic payment that is directly attributable to the percentage of the contributions made to the plan by ~~such the~~ individual; ~~or~~

(3) if the entire contributions to the plan were provided by ~~such the~~ individual, or by the individual and an employer, or any person or organization, who is not a base period employer, no reduction in the weekly benefit amount payable to the individual for ~~such the~~ week shall be made under this subsection; or

(4) whatever portion of contributions to ~~such the~~ plan were provided by the base period employer, if the services performed for the employer by ~~such the~~ individual during the base period, or remuneration received for the services, did not affect the individual's eligibility for, or increased the amount of, ~~such the~~ pension, retirement or retired pay, annuity or other similar periodic payment, no reduction in the weekly benefit amount payable to the individual for ~~such the~~ week shall be made under this subsection. No reduction shall be made for payments made under the social security act

or railroad retirement act of 1974.

(o) For any week of unemployment on the basis of services performed in any capacity and under any of the circumstances described in subsection (i), (j) or (k) ~~which~~ that an individual performed in an educational institution while in the employ of an educational service agency. For the purposes of this subsection, the term "educational service agency" means a governmental agency or entity which is established and operated exclusively for the purpose of providing ~~such the~~ services to one or more educational institutions.

~~(p) For any week of unemployment on the basis of service as a school bus or other motor vehicle driver employed by a private contractor to transport pupils, students and school personnel to or from school-related functions or activities for an educational institution, as defined in K.S.A. 44-703(v), and amendments thereto, if such week begins during the period between two successive academic years or during a similar period between two regular terms, whether or not successive, if the individual has a contract or contracts, or a reasonable assurance thereof, to perform services in any such capacity with a private contractor for any educational institution for both such academic years or both such terms. An individual shall not be disqualified for benefits as provided in this subsection for any week of unemployment on the basis of service as a bus or other motor vehicle driver employed by a private contractor to transport persons to or from nonschool related functions or activities.~~

~~(q)~~ For any week of unemployment on the basis of services performed by the individual in any capacity and under any of the circumstances described in subsection (i), (j), (k) or (o) which are provided to or on behalf of an educational institution, as defined in K.S.A. 44-703(v), and amendments thereto, while the individual is in the employ of an employer ~~which that~~ is a governmental entity, Indian tribe or any employer described in section 501(c)(3) of the federal internal revenue code of 1986 which is exempt from income under section 501(a) of the code.

~~(r)~~ (q) For any week in which an individual is registered at and attending an established school, training facility or other educational institution, or is on vacation during or between two successive academic years or terms. An individual shall not be disqualified for benefits as provided in this subsection provided:

(1) The individual was engaged in full-time employment concurrent with the individual's school attendance;

(2) the individual is attending approved training as defined in K.S.A. 44-703(s), and amendments thereto; or

(3) the individual is attending evening, weekend or limited day time classes, which would not affect availability for work, and is otherwise eligible under K.S.A. 44-705(c), and amendments thereto.

~~(s)~~ (r) For any week with respect to which an individual is receiving or has received remuneration in the form of a back pay award or settlement. The remuneration shall be allocated to the week or weeks in the manner as specified in the award or agreement, or in the absence of ~~such~~ specificity in the award or agreement, ~~such the~~ remuneration shall be allocated to the week or weeks in which ~~such the~~ remuneration, in the judgment of the secretary, would have been paid.

(1) For any ~~such weeks~~ week that an individual receives remuneration in the form of a back pay award or settlement, an overpayment will be established in the amount of unemployment benefits paid and shall be collected from the claimant.

(2) If an employer chooses to withhold from a back pay award or settlement, amounts paid to a claimant while they claimed unemployment benefits, ~~such the~~ employer shall pay the department the amount withheld. With respect to ~~such the~~ amount, the secretary shall have available all of the collection remedies authorized or provided in K.S.A. 44-717, and amendments thereto.

~~(s)~~(s) (1) Any applicant for or recipient of unemployment benefits who tests positive for unlawful use of a controlled substance or controlled substance analog shall be required to complete a substance abuse treatment program approved by the secretary of labor, secretary of commerce or secretary for children and families, and a job skills program approved by the secretary of labor, secretary of commerce or the secretary for children and families. Subject to applicable federal laws, any applicant for or recipient of unemployment benefits who fails to complete or refuses to participate in the substance abuse treatment program or job skills program as required under this subsection shall be ineligible to receive unemployment benefits until completion of ~~such the~~ substance abuse treatment and job skills programs. Upon completion of both substance abuse treatment and job skills programs, ~~such the~~ applicant for or recipient of unemployment benefits may be subject to periodic drug screening, as determined by the secretary of labor. Upon a second positive test for unlawful use of a controlled substance or controlled substance analog, an applicant for or recipient of unemployment benefits shall be ordered to complete again a substance abuse treatment program and job skills program, and shall be terminated from unemployment benefits for a period of 12 months, or until ~~such the~~ applicant for or recipient of unemployment benefits completes both substance abuse treatment and job skills programs, whichever is later. Upon a third positive test for unlawful use of a controlled substance or controlled substance analog, an applicant for or a recipient of unemployment benefits shall be terminated from receiving unemployment benefits, subject to applicable federal law.

(2) Any individual who has been discharged or refused employment for failing a preemployment drug screen required by an employer may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any ~~such~~ individual who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening.

~~(t)~~(t) If the individual was found not to have a disqualifying adjudication or conviction under K.S.A. 39-970 or 65-5117, and amendments thereto, was hired and then was subsequently convicted of a disqualifying felony under K.S.A. 39-970 or 65-5117, and amendments thereto, and discharged pursuant to K.S.A. 39-970 or 65-5117, and amendments thereto. The disqualification shall begin the day following the separation and shall continue until after the individual becomes reemployed and has had earnings from insured work of at least three times the individual's determined weekly benefit amount.

~~(u)~~(u) Notwithstanding the provisions of any subsection, an individual shall not be disqualified for ~~such a~~ week of part-time employment in a substitute capacity for an educational institution if ~~such the~~ individual's most recent employment prior to the individual's benefit year begin date was for a non-educational institution and ~~such the~~ individual demonstrates application for work in ~~such the~~ individual's customary occupation or for work for which the individual is reasonably fitted by training or experience.";

On page 85, in line 2, after the first comma by inserting "44-706,";

And by renumbering sections accordingly;

On page 1, in the title, in line 18, after the semicolon by inserting "permitting benefits for privately contracted school bus drivers;"; in line 19, after "44-705," by inserting "44-706,"

On roll call, the vote was: Yeas 44; Nays 78; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Collins, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgeson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Newland, Ohaebosim, Ousley, Parker, Poskin, Probst, Rhiley, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Thomas, Toplikar, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neely, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Ralph, Resman, Ryckman, Samsel, Sanders, Schreiber, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thompson, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Present but not voting: None.

Absent or not voting: Howard, Rahjes, Seiwert.

The motion of Rep. Probst did not prevail.

Also, on motion of Rep. Tarwater, **Substitute for HB 2196** be amended on page 1, in line 26, by striking "11" and inserting "13"; in line 27, by striking "Two" and inserting "Three"; in line 28, by striking "to" and inserting "one of whom shall"; in line 29, by striking all after "the"; by striking all in line 30; in line 31, by striking all before "governor"; also in line 31, before the semicolon by inserting ", one by the speaker of the house of representatives and one by the president of the senate"; in line 32, by striking "two" and inserting "three"; in line 33, by striking "to" and inserting "one of whom shall"; in line 34, by striking all after "the"; in line 35, by striking all before "governor" ; also in line 35, before the semicolon by inserting ", one by the speaker of the house of representatives and one by the president of the senate";

On page 2, in line 4, after "senate" by inserting ", one of whom shall be a member of the majority party"; in line 5, by striking the comma and inserting "and"; also in line 5, by striking the first "is" and inserting "shall be"; also in line 5, by striking "majority" and inserting "minority"; also in line 5, by striking all after "party"; in line 6, by striking all before the semicolon and inserting "appointed by the minority leader of the senate"; in line 7, after "representatives" by inserting ", one of whom shall be a member of the majority party"; in line 8, by striking the comma and inserting "and"; also in line 8, by striking "is" and inserting "shall be"; in line 9, by striking "majority" and inserting "minority"; also in line 9, by striking "and one of whom is a member of the minority party" and inserting "appointed by the minority leader of the house of representatives"; in line 13, by striking all after "(2)"; by striking all in lines 14 through 22; in line 23, by striking "(3) " ;

Also on page 2, following line 27, by inserting:

"(3) The members of the council shall be appointed and the council shall hold its

first meeting within 30 days of the effective date of this act.";

Also on page 2, in line 43, by striking all after "(e)";

On page 3, by striking all in lines 1 through 7; in line 8, by striking all before the period and inserting "The chairperson of the house of representatives standing committee on commerce, labor and economic development, or a successor committee to which legislation pertaining to employment security law is customarily referred, shall serve as the chairperson of the committee when first organized and for the ensuing two years. The chairperson of the senate standing committee on commerce, or a successor committee to which legislation pertaining to employment security law is customarily referred, shall serve as the chairperson of the committee for the next two years, and thereafter the office of chairperson shall continue to alternate between the chambers as provided herein";

On page 7, in line 36, after the semicolon by inserting "and"; in line 38, by striking "(H)" and inserting "(4)"; in line 43, by striking "specific";

On page 8, in line 1, after "elements" by inserting ", including, but not limited to"; in line 35, by striking all after the period; by striking all in line 36;

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

On page 12, in line 8, after the period by inserting "If such identified moneys in the aggregate are less than \$450,000,000, the director of the budget shall determine the maximum amount available."; in line 14, after "to" by inserting "such certification and in the aggregate, an amount equal to"; in line 15, after "\$450,000,000" by inserting "if available";

On page 62, following line 39, by inserting:

"(D) If the amounts collected from negative account balance employers and paid into the employment security interest assessment fund for the purpose of paying interest due and owing on funds received from the federal unemployment account under title XII of the social security act are in excess of the amounts needed to pay interest due, the amounts in excess shall remain in the employment security interest assessment fund to be used to pay interest in future years. Whenever the secretary certifies all interest payments have been paid, any excess funds remaining in the employment security interest assessment fund shall be transferred to the employment security trust fund for the purpose of paying any remaining principal amount due for advances described in this section. In the event that the amount transferred from the employment security interest assessment fund exceeds such remaining amount of principal due, the balance shall be used for the purposes of the employment security trust fund.";

On page 74, by striking all in lines 27 through 31; in line 32, by striking all before the period and inserting "There is hereby established in the state treasury, separate and apart from all public moneys or funds of this state, an employment security interest assessment fund, which shall be administered by the secretary as provided in this act. Moneys in the employment security fund established by K.S.A. 44-712, and amendments thereto, and employment security interest assessment fund established by K.S.A. 44-710, and amendments thereto, shall not be invested in the pooled money investment portfolio established under K.S.A. 75-4234, and amendments thereto. Notwithstanding the provisions of K.S.A. 44-712(a), 44-716, 44-717 and 75-4234, and amendments thereto, or any like provision the secretary shall remit all moneys received from employers pursuant to the interest payment assessment pursuant to law 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 employment security interest assessment fund. All moneys in the employment security interest assessment fund that are received from employers pursuant to interest payment assessments shall be expended solely for the purposes and in the amounts found by the secretary necessary to pay any principal and interest due and owing the United States department of labor resulting from any advancements made to the Kansas employment security fund pursuant to the provisions of title XII of the social security act (42 U.S.C. §§ 1321 to 1324) except as may be otherwise provided under subsection (a)(2)(D). Notwithstanding any provision of this section, all moneys received and credited to this fund shall remain part of the employment security interest assessment fund and shall be used only in accordance with the conditions specified";

On page 1, in the title, in line 9, by striking all before "crediting" in line 15, by striking the semicolon; in line 18, by striking "the"; also in line 18, by striking "ending June 30, 2021, and June 30, 2022" and inserting "2021 through 2028"

Also, roll call was demanded on motion of Rep. Miller to amend **Substitute for HB 2196** on page 13, following line 12, by inserting:

"Sec. 8. K.S.A. 2020 Supp. 44-706 is hereby amended to read as follows: 44-706. The secretary shall examine whether an individual has separated from employment for each week claimed. The secretary shall apply the provisions of this section to the individual's most recent employment prior to the week claimed. An individual shall be disqualified for benefits:

(a) If the individual left work voluntarily without good cause attributable to the work or the employer, subject to the other provisions of this subsection. For purposes of this subsection, "good cause" is cause of such gravity that would impel a reasonable, not supersensitive, individual exercising ordinary common sense to leave employment. Good cause requires a showing of good faith of the individual leaving work, including the presence of a genuine desire to work. Failure to return to work after expiration of approved personal or medical leave, or both, shall be considered a voluntary resignation. After a temporary job assignment, failure of an individual to affirmatively request an additional assignment on the next succeeding workday, if required by the employment agreement, after completion of a given work assignment, shall constitute leaving work voluntarily. The disqualification shall begin the day following the separation and shall continue until after the individual has become reemployed and has had earnings from insured work of at least three times the individual's weekly benefit amount. An individual shall not be disqualified under this subsection if:

(1) The individual was forced to leave work because of illness or injury upon the advice of a licensed and practicing health care provider and, upon learning of the necessity for absence, immediately notified the employer thereof, or the employer consented to the absence, and after recovery from the illness or injury, when recovery was certified by a practicing health care provider, the individual returned to the employer and offered to perform services and the individual's regular work or comparable and suitable work was not available. As used in this paragraph "health care provider" means any person licensed by the proper licensing authority of any state to engage in the practice of medicine and surgery, osteopathy, chiropractic, dentistry, optometry, podiatry or psychology;

(2) the individual left temporary work to return to the regular employer;

(3) the individual left work to enlist in the armed forces of the United States, but was rejected or delayed from entry;

(4) the spouse of an individual who is a member of the armed forces of the United States who left work because of the voluntary or involuntary transfer of the individual's spouse from one job to another job, which is for the same employer or for a different employer, at a geographic location which makes it unreasonable for the individual to continue work at the individual's job. For the purposes of this provision the term "armed forces" means active duty in the army, navy, marine corps, air force, coast guard or any branch of the military reserves of the United States;

(5) the individual left work because of hazardous working conditions; in determining whether or not working conditions are hazardous for an individual, the degree of risk involved to the individual's health, safety and morals, the individual's physical fitness and prior training and the working conditions of workers engaged in the same or similar work for the same and other employers in the locality shall be considered; as used in this paragraph, "hazardous working conditions" means working conditions that could result in a danger to the physical or mental well-being of the individual; each determination as to whether hazardous working conditions exist shall include, but shall not be limited to, a consideration of: (A) The safety measures used or the lack thereof; and (B) the condition of equipment or lack of proper equipment; no work shall be considered hazardous if the working conditions surrounding the individual's work are the same or substantially the same as the working conditions generally prevailing among individuals performing the same or similar work for other employers engaged in the same or similar type of activity;

(6) the individual left work to enter training approved under section 236(a)(1) of the federal trade act of 1974, provided the work left is not of a substantially equal or higher skill level than the individual's past adversely affected employment, as defined for purposes of the federal trade act of 1974, and wages for ~~such the~~ work are not less than 80% of the individual's average weekly wage as determined for the purposes of the federal trade act of 1974;

(7) the individual left work because of unwelcome harassment of the individual by the employer or another employee of which the employing unit had knowledge and that would impel the average worker to give up ~~such the~~ worker's employment;

(8) the individual left work to accept better work; each determination as to whether or not the work accepted is better work shall include, but shall not be limited to, consideration of: (A) The rate of pay, the hours of work and the probable permanency of the work left as compared to the work accepted; (B) the cost to the individual of getting to the work left in comparison to the cost of getting to the work accepted; and (C) the distance from the individual's place of residence to the work accepted in comparison to the distance from the individual's residence to the work left;

(9) the individual left work as a result of being instructed or requested by the employer, a supervisor or a fellow employee to perform a service or commit an act in the scope of official job duties which is in violation of an ordinance or statute;

(10) the individual left work because of a substantial violation of the work agreement by the employing unit and, before the individual left, the individual had exhausted all remedies provided in ~~such the~~ agreement for the settlement of disputes before terminating. For the purposes of this paragraph, a demotion based on performance does not constitute a violation of the work agreement;

(11) after making reasonable efforts to preserve the work, the individual left work due to a personal emergency of such nature and compelling urgency that it would be contrary to good conscience to impose a disqualification; or

(12) (A) the individual left work due to circumstances resulting from domestic violence, including:

(i) The individual's reasonable fear of future domestic violence at or en route to or from the individual's place of employment;

(ii) the individual's need to relocate to another geographic area in order to avoid future domestic violence;

(iii) the individual's need to address the physical, psychological and legal impacts of domestic violence;

(iv) the individual's need to leave employment as a condition of receiving services or shelter from an agency which provides support services or shelter to victims of domestic violence; or

(v) the individual's reasonable belief that termination of employment is necessary to avoid other situations which may cause domestic violence and to provide for the future safety of the individual or the individual's family.

(B) An individual may prove the existence of domestic violence by providing one of the following:

(i) A restraining order or other documentation of equitable relief by a court of competent jurisdiction;

(ii) a police record documenting the abuse;

(iii) documentation that the abuser has been convicted of one or more of the offenses enumerated in articles 34 and 35 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or articles 54 or 55 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2020 Supp. 21-6104, 21-6325, 21-6326 or 21-6418 through 21-6422, and amendments thereto, where the victim was a family or household member;

(iv) medical documentation of the abuse;

(v) a statement provided by a counselor, social worker, health care provider, clergy, shelter worker, legal advocate, domestic violence or sexual assault advocate or other professional who has assisted the individual in dealing with the effects of abuse on the individual or the individual's family; or

(vi) a sworn statement from the individual attesting to the abuse.

(C) No evidence of domestic violence experienced by an individual, including the individual's statement and corroborating evidence, shall be disclosed by the department of labor unless consent for disclosure is given by the individual.

(b) If the individual has been discharged or suspended for misconduct connected with the individual's work. The disqualification shall begin the day following the separation and shall continue until after the individual becomes reemployed and in cases where the disqualification is due to discharge for misconduct has had earnings from insured work of at least three times the individual's determined weekly benefit amount, except that if an individual is discharged for gross misconduct connected with the individual's work, ~~such the~~ individual shall be disqualified for benefits until ~~such the~~ individual again becomes employed and has had earnings from insured work of at least eight times ~~such the~~ individual's determined weekly benefit amount. In addition, all wage credits attributable to the employment from which the individual was discharged for gross misconduct connected with the individual's work shall be canceled. No ~~such~~

cancellation of wage credits shall affect prior payments made as a result of a prior separation.

(1) For the purposes of this subsection, "misconduct" is defined as a violation of a duty or obligation reasonably owed the employer as a condition of employment including, but not limited to, a violation of a company rule, including a safety rule, if: (A) The individual knew or should have known about the rule; (B) the rule was lawful and reasonably related to the job; and (C) the rule was fairly and consistently enforced.

(2) (A) Failure of the employee to notify the employer of an absence and an individual's leaving work prior to the end of ~~such~~ the individual's assigned work period without permission shall be considered prima facie evidence of a violation of a duty or obligation reasonably owed the employer as a condition of employment.

(B) For the purposes of this subsection, misconduct shall include, but not be limited to, violation of the employer's reasonable attendance expectations if the facts show:

- (i) The individual was absent or tardy without good cause;
- (ii) the individual had knowledge of the employer's attendance expectation; and
- (iii) the employer gave notice to the individual that future absence or tardiness may or will result in discharge.

(C) For the purposes of this subsection, if an employee disputes being absent or tardy without good cause, the employee shall present evidence that a majority of the employee's absences or tardiness were for good cause. If the employee alleges that the employee's repeated absences or tardiness were the result of health related issues, ~~such~~ the evidence shall include documentation from a licensed and practicing health care provider as defined in subsection (a)(1).

(3) (A) The term "gross misconduct" as used in this subsection shall be construed to mean conduct evincing extreme, willful or wanton misconduct as defined by this subsection. Gross misconduct shall include, but not be limited to: (i) Theft; (ii) fraud; (iii) intentional damage to property; (iv) intentional infliction of personal injury; or (v) any conduct that constitutes a felony.

(B) For the purposes of this subsection, the following shall be conclusive evidence of gross misconduct:

(i) The use of alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance by an individual while working;

(ii) the impairment caused by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance by an individual while working;

(iii) a positive breath alcohol test or a positive chemical test, provided:

(a) The test was either:

(1) Required by law and was administered pursuant to the drug free workplace act, 41 U.S.C. § 701 et seq.;

(2) administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(3) requested pursuant to a written policy of the employer of which the employee had knowledge and was a required condition of employment;

(4) required by law and the test constituted a required condition of employment for the individual's job; or

(5) there was reasonable suspicion to believe that the individual used, had possession of, or was impaired by alcoholic liquor, cereal malt beverage or a

nonprescribed controlled substance while working;

(b) the test sample was collected either:

(1) As prescribed by the drug free workplace act, 41 U.S.C. § 701 et seq.;

(2) as prescribed by an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(3) as prescribed by the written policy of the employer of which the employee had knowledge and which constituted a required condition of employment;

(4) as prescribed by a test which was required by law and which constituted a required condition of employment for the individual's job; or

(5) at a time contemporaneous with the events establishing probable cause;

(c) the collecting and labeling of a chemical test sample was performed by a licensed health care professional or any other individual certified pursuant to paragraph (b)(3)(A)(iii)(f) or authorized to collect or label test samples by federal or state law, or a federal or state rule or regulation having the force or effect of law, including law enforcement personnel;

(d) the chemical test was performed by a laboratory approved by the United States department of health and human services or licensed by the department of health and environment, except that a blood sample may be tested for alcohol content by a laboratory commonly used for that purpose by state law enforcement agencies;

(e) the chemical test was confirmed by gas chromatography, gas chromatography-mass spectroscopy or other comparably reliable analytical method, except that no ~~such~~ confirmation is required for a blood alcohol sample or a breath alcohol test;

(f) the breath alcohol test was administered by an individual trained to perform breath tests, the breath testing instrument used was certified and operated strictly according to a description provided by the manufacturers and the reliability of the instrument performance was assured by testing with alcohol standards; and

(g) the foundation evidence establishes, beyond a reasonable doubt, that the test results were from the sample taken from the individual;

(iv) an individual's refusal to submit to a chemical test or breath alcohol test, provided:

(a) The test meets the standards of the drug free workplace act, 41 U.S.C. § 701 et seq.;

(b) the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment;

(c) the test was otherwise required by law and the test constituted a required condition of employment for the individual's job;

(d) the test was requested pursuant to a written policy of the employer of which the employee had knowledge and was a required condition of employment; or

(e) there was reasonable suspicion to believe that the individual used, possessed or was impaired by alcoholic liquor, cereal malt beverage or a nonprescribed controlled substance while working;

(v) an individual's dilution or other tampering of a chemical test.

(C) For purposes of this subsection:

(i) "Alcohol concentration" means the number of grams of alcohol per 210 liters of breath;

(ii) "alcoholic liquor" ~~shall be defined~~ means the same as provided in K.S.A. 41-102, and amendments thereto;

(iii) "cereal malt beverage" ~~shall be defined~~ means the same as provided in K.S.A. 41-2701, and amendments thereto;

(iv) "chemical test" ~~shall include~~ includes, but is not limited to, tests of urine, blood or saliva;

(v) "controlled substance" ~~shall be defined~~ means the same as provided in K.S.A. 2020 Supp. 21-5701, and amendments thereto;

(vi) "required by law" means required by a federal or state law, a federal or state rule or regulation having the force and effect of law, a county resolution or municipal ordinance, or a policy relating to public safety adopted in an open meeting by the governing body of any special district or other local governmental entity;

(vii) "positive breath test" ~~shall mean~~ means a test result showing an alcohol concentration of 0.04 or greater, or the levels listed in 49 C.F.R. part 40, if applicable, unless the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment, in which case "positive chemical test" shall mean a test result showing an alcohol concentration at or above the levels provided for in the assistance or treatment program;

(viii) "positive chemical test" ~~shall mean~~ means a chemical result showing a concentration at or above the levels listed in K.S.A. 44-501, and amendments thereto, or 49 C.F.R. part 40, as applicable, for the drugs or abuse listed therein, unless the test was administered as part of an employee assistance program or other drug or alcohol treatment program in which the employee was participating voluntarily or as a condition of further employment, in which case "positive chemical test" ~~shall mean~~ means a chemical result showing a concentration at or above the levels provided for in the assistance or treatment program.

(4) An individual shall not be disqualified under this subsection if the individual is discharged under the following circumstances:

(A) The employer discharged the individual after learning the individual was seeking other work or when the individual gave notice of future intent to quit, except that the individual shall be disqualified after the time at which ~~such the~~ individual intended to quit and any individual who commits misconduct after ~~such the~~ individual gives notice ~~to such of the~~ individual's intent to quit shall be disqualified;

(B) the individual was making a good-faith effort to do the assigned work but was discharged due to:

- (i) Inefficiency;
- (ii) unsatisfactory performance due to inability, incapacity or lack of training or experience;
- (iii) isolated instances of ordinary negligence or inadvertence;
- (iv) good-faith errors in judgment or discretion; or
- (v) unsatisfactory work or conduct due to circumstances beyond the individual's control; or

(C) the individual's refusal to perform work in excess of the contract of hire.

(c) If the individual has failed, without good cause, to either apply for suitable work when so directed by the employment office of the secretary of labor, or to accept suitable work when offered to the individual by the employment office, the secretary of

labor, or an employer, ~~such the~~ disqualification shall begin with the week in which ~~such the~~ failure occurred and shall continue until the individual becomes reemployed and has had earnings from insured work of at least three times ~~such the~~ individual's determined weekly benefit amount. In determining whether or not any work is suitable for an individual, the secretary of labor, or a person or persons designated by the secretary, shall consider the degree of risk involved to health, safety and morals, physical fitness and prior training, experience and prior earnings, length of unemployment and prospects for securing local work in the individual's customary occupation or work for which the individual is reasonably fitted by training or experience, and the distance of the available work from the individual's residence. Notwithstanding any other provisions of this act, an otherwise eligible individual shall not be disqualified for refusing an offer of suitable employment, or failing to apply for suitable employment when notified by an employment office, or for leaving the individual's most recent work accepted during approved training, including training approved under section 236(a)(1) of the trade act of 1974, if the acceptance of or applying for suitable employment or continuing ~~such the individual's most recent~~ work would require the individual to terminate approved training and no work shall be deemed suitable and benefits shall not be denied under this act to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (1) If the position offered is vacant due directly to a strike, lockout or other labor dispute; (2) if the remuneration, hours or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality; (3) if as a condition of being employed, the individual would be required to join or to resign from or refrain from joining any labor organization; and (4) if the individual left employment as a result of domestic violence, and the position offered does not reasonably accommodate the individual's physical, psychological, safety, or legal needs relating to ~~such the~~ domestic violence.

(d) For any week with respect to which the secretary of labor, or a person or persons designated by the secretary, finds that the individual's unemployment is due to a stoppage of work which exists because of a labor dispute or there would have been a work stoppage had normal operations not been maintained with other personnel previously and currently employed by the same employer at the factory, establishment or other premises at which the individual is or was last employed, except that this subsection (d) shall not apply if it is shown to the satisfaction of the secretary of labor, or a person or persons designated by the secretary, that: (1) The individual is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and (2) the individual does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs any of whom are participating in or financing or directly interested in the dispute. If in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each ~~such separate~~ department shall, for the purpose of this subsection be deemed to be a separate factory, establishment or other premises. For the purposes of this subsection, failure or refusal to cross a picket line or refusal for any reason during the continuance of ~~such the~~ labor dispute to accept the individual's available and customary work at the factory, establishment or other premises where the individual is or was last employed shall be considered as participation and interest in the labor dispute.

(e) For any week with respect to which or a part of which the individual has received or is seeking unemployment benefits under the unemployment compensation law of any other state or of the United States, except that if the appropriate agency of ~~such the~~ other state or the United States finally determines that the individual is not entitled to ~~such the~~ unemployment benefits, this disqualification shall not apply.

(f) For any week with respect to which the individual is entitled to receive any unemployment allowance or compensation granted by the United States under an act of congress to ex-service men and women in recognition of former service with the military or naval services of the United States.

(g) For the period of five years beginning with the first day following the last week of unemployment for which the individual received benefits, or for five years from the date the act was committed, whichever is the later, if the individual, or another in ~~such the~~ individual's behalf with the knowledge of the individual, has knowingly made a false statement or representation, or has knowingly failed to disclose a material fact to obtain or increase benefits under this act or any other unemployment compensation law administered by the secretary of labor. In addition to the penalties set forth in K.S.A. 44-719, and amendments thereto, an individual who has knowingly made a false statement or representation or who has knowingly failed to disclose a material fact to obtain or increase benefits under this act or any other unemployment compensation law administered by the secretary of labor shall be liable for a penalty in the amount equal to 25% of the amount of benefits unlawfully received. Notwithstanding any other provision of law, ~~such the~~ penalty shall be deposited into the employment security trust fund. The imposition of the disqualification and any such penalty shall be suspended during a state of disaster emergency proclaimed by the governor pursuant to K.S.A. 48-924 and 48-925, and amendments thereto, in response to the public health emergency of the spread of COVID-19.

(h) For any week with respect to which the individual is receiving compensation for temporary total disability or permanent total disability under the workmen's compensation law of any state or under a similar law of the United States.

(i) For any week of unemployment on the basis of service in an instructional, research or principal administrative capacity for an educational institution as defined in K.S.A. 44-703(v), and amendments thereto, if ~~such the~~ week begins during the period between two successive academic years or terms or, when an agreement provides instead for a similar period between two regular but not successive terms during ~~such the~~ period or during a period of paid sabbatical leave provided for in the individual's contract, if the individual performs ~~such the~~ services in the first of ~~such the~~ academic years or terms and there is a contract or a reasonable assurance that ~~such the~~ individual will perform services in any such an instructional, research or principal administrative capacity for any educational institution in the second of ~~such the~~ academic years or terms.

(j) For any week of unemployment on the basis of service in any capacity other than service in an instructional, research, or administrative capacity in an educational institution, as defined in K.S.A. 44-703(v), and amendments thereto, if ~~such the~~ week begins during the period between two successive academic years or terms if the individual performs ~~such the~~ services in the first of ~~such the~~ successive academic years or terms and there is a reasonable assurance that the individual will perform ~~such the~~ services in the second of ~~such the~~ successive academic years or terms, except that if

benefits are denied to the individual under this subsection and the individual was not offered an opportunity to perform ~~such the~~ services for the educational institution for the second of ~~such the successive~~ academic years or terms, ~~such the~~ individual shall be entitled to a retroactive payment of benefits for each week for which the individual filed a timely claim for benefits and for which benefits were denied solely by reason of this subsection.

(k) For any week of unemployment on the basis of service in any capacity for an educational institution as defined in K.S.A. 44-703(v), and amendments thereto, if ~~such the~~ week begins during an established and customary vacation period or holiday recess, if the individual performs services in the period immediately before ~~such the~~ vacation period or holiday recess and there is a reasonable assurance that ~~such the~~ individual will perform ~~such the~~ services in the period immediately following ~~such the~~ vacation period or holiday recess.

(l) For any week of unemployment on the basis of any services, substantially all of which consist of participating in sports or athletic events or training or preparing to so participate, if ~~such the~~ week begins during the period between two successive sport seasons or similar period if ~~such the~~ individual performed services in the first of ~~such the successive~~ seasons or similar periods and there is a reasonable assurance that ~~such the~~ individual will perform ~~such the~~ services in the later of ~~such the successive~~ seasons or similar periods.

(m) For any week on the basis of services performed by an alien unless ~~such the~~ alien is an individual who was lawfully admitted for permanent residence at the time ~~such the~~ services were performed, was lawfully present for purposes of performing ~~such the~~ services, or was permanently residing in the United States under color of law at the time ~~such the~~ services were performed, including an alien who was lawfully present in the United States as a result of the application of the provisions of section 212(d)(5) of the federal immigration and nationality act. Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits. In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to ~~such the~~ individual are not payable because of ~~such the~~ individual's alien status shall be made except upon a preponderance of the evidence.

(n) For any week in which an individual is receiving a governmental or other pension, retirement or retired pay, annuity or other similar periodic payment under a plan maintained by a base period employer and to which the entire contributions were provided by ~~such the~~ employer, except that:

(1) If the entire contributions to ~~such the~~ plan were provided by the base period employer but ~~such the~~ individual's weekly benefit amount exceeds ~~such the~~ governmental or other pension, retirement or retired pay, annuity or other similar periodic payment attributable to ~~such the~~ week, the weekly benefit amount payable to the individual shall be reduced, but not below zero, by an amount equal to the amount of ~~such the~~ pension, retirement or retired pay, annuity or other similar periodic payment which is attributable to ~~such the~~ week; or

(2) if only a portion of contributions to ~~such the~~ plan were provided by the base period employer, the weekly benefit amount payable to ~~such the~~ individual for ~~such the~~ week shall be reduced, but not below zero, by the prorated weekly amount of the

pension, retirement or retired pay, annuity or other similar periodic payment after deduction of that portion of the pension, retirement or retired pay, annuity or other similar periodic payment that is directly attributable to the percentage of the contributions made to the plan by ~~such the~~ individual; ~~or~~

(3) if the entire contributions to the plan were provided by ~~such the~~ individual, or by the individual and an employer, or any person or organization, who is not a base period employer, no reduction in the weekly benefit amount payable to the individual for ~~such the~~ week shall be made under this subsection; or

(4) whatever portion of contributions to ~~such the~~ plan were provided by the base period employer, if the services performed for the employer by ~~such the~~ individual during the base period, or remuneration received for the services, did not affect the individual's eligibility for, or increased the amount of, ~~such the~~ pension, retirement or retired pay, annuity or other similar periodic payment, no reduction in the weekly benefit amount payable to the individual for ~~such the~~ week shall be made under this subsection. No reduction shall be made for payments made under the social security act or railroad retirement act of 1974.

(o) For any week of unemployment on the basis of services performed in any capacity and under any of the circumstances described in subsection (i), (j) or (k) ~~which that~~ an individual performed in an educational institution while in the employ of an educational service agency. For the purposes of this subsection, the term "educational service agency" means a governmental agency or entity which is established and operated exclusively for the purpose of providing ~~such the~~ services to one or more educational institutions.

(p) For any week of unemployment on the basis of service as a school bus or other motor vehicle driver employed by a private contractor to transport pupils, students and school personnel to or from school-related functions or activities for an educational institution, as defined in K.S.A. 44-703(v), and amendments thereto, if such week begins during the period between two successive academic years or during a similar period between two regular terms, whether or not successive, if the individual has a contract or contracts, or a reasonable assurance thereof, to perform services in any such capacity with a private contractor for any educational institution for both such academic years or both such terms. An individual shall not be disqualified for benefits as provided in this subsection for any week of unemployment on the basis of service as a bus or other motor vehicle driver employed by a private contractor to transport persons to or from nonschool-related functions or activities.

(q) For any week of unemployment on the basis of services performed by the individual in any capacity and under any of the circumstances described in subsection (i), (j), (k) or (o) which are provided to or on behalf of an educational institution, as defined in K.S.A. 44-703(v), and amendments thereto, while the individual is in the employ of an employer ~~which that~~ is a governmental entity, Indian tribe or any employer described in section 501(c)(3) of the federal internal revenue code of 1986 which is exempt from income under section 501(a) of the code.

(r) For any week in which an individual is registered at and attending an established school, training facility or other educational institution, or is on vacation during or between two successive academic years or terms. An individual shall not be disqualified for benefits as provided in this subsection provided:

(1) The individual was engaged in full-time employment concurrent with the

individual's school attendance;

(2) the individual is attending approved training as defined in K.S.A. 44-703(s), and amendments thereto; or

(3) the individual is attending evening, weekend or limited day time classes, which would not affect availability for work, and is otherwise eligible under K.S.A. 44-705(c), and amendments thereto.

(s) For any week with respect to which an individual is receiving or has received remuneration in the form of a back pay award or settlement. The remuneration shall be allocated to the week or weeks in the manner as specified in the award or agreement, or in the absence of ~~such~~ specificity in the award or agreement, ~~such the~~ remuneration shall be allocated to the week or weeks in which ~~such the~~ remuneration, in the judgment of the secretary, would have been paid.

(1) For any ~~such weeks week~~ that an individual receives remuneration in the form of a back pay award or settlement, an overpayment will be established in the amount of unemployment benefits paid and shall be collected from the claimant.

(2) If an employer chooses to withhold from a back pay award or settlement, amounts paid to a claimant while they claimed unemployment benefits, ~~such the~~ employer shall pay the department the amount withheld. With respect to ~~such the~~ amount, the secretary shall have available all of the collection remedies authorized or provided in K.S.A. 44-717, and amendments thereto.

(t) (1) Any applicant for or recipient of unemployment benefits who tests positive for unlawful use of a controlled substance or controlled substance analog shall be required to complete a substance abuse treatment program approved by the secretary of labor, secretary of commerce or secretary for children and families, and a job skills program approved by the secretary of labor, secretary of commerce or the secretary for children and families. Subject to applicable federal laws, any applicant for or recipient of unemployment benefits who fails to complete or refuses to participate in the substance abuse treatment program or job skills program as required under this subsection shall be ineligible to receive unemployment benefits until completion of ~~such the~~ substance abuse treatment and job skills programs. Upon completion of both substance abuse treatment and job skills programs, ~~such the~~ applicant for or recipient of unemployment benefits may be subject to periodic drug screening, as determined by the secretary of labor. Upon a second positive test for unlawful use of a controlled substance or controlled substance analog, an applicant for or recipient of unemployment benefits shall be ordered to complete again a substance abuse treatment program and job skills program, and shall be terminated from unemployment benefits for a period of 12 months, or until ~~such the~~ applicant for or recipient of unemployment benefits completes both substance abuse treatment and job skills programs, whichever is later. Upon a third positive test for unlawful use of a controlled substance or controlled substance analog, an applicant for or a recipient of unemployment benefits shall be terminated from receiving unemployment benefits, subject to applicable federal law.

(2) Any individual who has been discharged or refused employment for failing a preemployment drug screen required by an employer may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any ~~such~~ individual who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening.

(u) If the individual was found not to have a disqualifying adjudication or

conviction under K.S.A. 39-970 or 65-5117, and amendments thereto, was hired and then was subsequently convicted of a disqualifying felony under K.S.A. 39-970 or 65-5117, and amendments thereto, and discharged pursuant to K.S.A. 39-970 or 65-5117, and amendments thereto. The disqualification shall begin the day following the separation and shall continue until after the individual becomes reemployed and has had earnings from insured work of at least three times the individual's determined weekly benefit amount.

(v) Notwithstanding the provisions of any subsection, an individual shall not be disqualified for ~~such a~~ week of part-time employment in a substitute capacity for an educational institution if ~~such the~~ individual's most recent employment prior to the individual's benefit year begin date was for a non-educational institution and ~~such the~~ individual demonstrates application for work in ~~such the~~ individual's customary occupation or for work for which the individual is reasonably fitted by training or experience.";

On page 85, in line 2, after the first comma by inserting "44-706,";

And by renumbering sections accordingly;

On page 1, in the title, in line 18, after the semicolon by inserting "suspending disqualification for fraud during an emergency;" in line 19, after "44-705," by inserting "44-706,"

On roll call, the vote was: Yeas 40; Nays 80; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Toplikar, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Rhiley, Ryckman, Sanders, Schreiber, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Present but not voting: None.

Absent or not voting: Howard, Resman, Samsel, Seiwert, Thompson.

The motion of Rep. Miller did not prevail and **Substitute HB 2196** bill be passed as amended.

Committee report to **HB 2058** be adopted.

Also, on motion of Rep. Carpenter, B., **HB 2058** be amended by House Committee, on page 1, in the title, in line 3, by striking all after "during"; in line 4, by striking all before the semicolon and inserting "certain circumstances"

Also, roll call was demanded on motion of Rep. Owens, to amend **HB 2058** as amended by House Committee, on page 1, following line 7, by inserting:

"Section 1. K.S.A. 2020 Supp. 21-5914 is hereby amended to read as follows: 21-

5914. (a) Traffic in contraband in a correctional institution or care and treatment facility is, without the consent of the administrator of the correctional institution or care and treatment facility:

(1) Introducing or attempting to introduce any item into or upon the grounds of any correctional institution or care and treatment facility;

(2) taking, sending, attempting to take or attempting to send any item from any correctional institution or care and treatment facility;

(3) any unauthorized possession of any item while in any correctional institution or care and treatment facility;

(4) distributing any item within any correctional institution or care and treatment facility;

(5) supplying to another who is in lawful custody any object or thing adapted or designed for use in making an escape; or

(6) introducing into an institution in which a person is confined any object or thing adapted or designed for use in making an escape.

(b) Traffic in contraband in a correctional institution or care and treatment facility is a:

(1) Severity level 6, nonperson felony, except as provided in subsection (b)(2) or (b)(3);

(2) severity level 5, nonperson felony if such items are:

(A) Firearms, ammunition, explosives or a controlled substance—~~which that~~ is defined in K.S.A. 2020 Supp. 21-5701, and amendments thereto, except as provided in subsection (b)(3);

(B) defined as contraband by rules and regulations adopted by the secretary of corrections, in a state correctional institution or facility by an employee of a state correctional institution or facility, except as provided in subsection (b)(3);

(C) defined as contraband by rules and regulations adopted by the secretary for aging and disability services, in a care and treatment facility by an employee of a care and treatment facility, except as provided in subsection (b)(3); or

(D) defined as contraband by rules and regulations adopted by the commissioner of the juvenile justice authority, in a juvenile correctional facility by an employee of a juvenile correctional facility, except as provided by subsection (b)(3); and

(3) severity level 4, nonperson felony if:

(A) Such items are firearms, ammunition or explosives, in a correctional institution by an employee of a correctional institution or in a care and treatment facility by an employee of a care and treatment facility; or

(B) a violation of subsection (a)(5) or (a)(6) by an employee or volunteer of the department of corrections, or the employee or volunteer of a contractor who is under contract to provide services to the department of corrections.

(c) The provisions of subsection (b)(2)(A) shall not apply to the possession of a firearm or ammunition in a parking lot open to the public if the firearm or ammunition is carried on the person while in a vehicle or while securing the firearm or ammunition in the vehicle, or stored out of plain view in a locked but unoccupied vehicle, and such person is either: (1) 21 years of age or older; or (2) possesses a valid provisional license issued pursuant to K.S.A. 75-7c03, and amendments thereto, or a valid license to carry a concealed handgun issued by another jurisdiction that is recognized in this state pursuant to K.S.A. 75-7c03, and amendments thereto.

(d) As used in this section:

(1) "Correctional institution" means any state correctional institution or facility, conservation camp, state security hospital, juvenile correctional facility, community correction center or facility for detention or confinement, juvenile detention facility or jail;

(2) "care and treatment facility" means the state security hospital provided for under K.S.A. 76-1305 et seq., and amendments thereto, and a facility operated by the Kansas department for aging and disability services for the purposes provided for under K.S.A. 59-29a02 et seq., and amendments thereto; and

(3) "lawful custody" means the same as in K.S.A. 2020 Supp. 21-5912, and amendments thereto.

Sec. 2. K.S.A. 2020 Supp. 21-6301 is hereby amended to read as follows: 21-6301.

(a) Criminal use of weapons is knowingly:

(1) Selling, manufacturing, purchasing or possessing any bludgeon, sand club or metal knuckles;

(2) possessing with intent to use the same unlawfully against another, a dagger, dirk, billy, blackjack, slungshot, dangerous knife, straight-edged razor, throwing star, stiletto or any other dangerous or deadly weapon or instrument of like character;

(3) setting a spring gun;

(4) possessing any device or attachment of any kind designed, used or intended for use in suppressing the report of any firearm;

(5) selling, manufacturing, purchasing or possessing a shotgun with a barrel less than 18 inches in length, or any firearm designed to discharge or capable of discharging automatically more than once by a single function of the trigger, whether the person knows or has reason to know the length of the barrel or that the firearm is designed or capable of discharging automatically;

(6) possessing, manufacturing, causing to be manufactured, selling, offering for sale, lending, purchasing or giving away any cartridge which can be fired by a handgun and which has a plastic-coated bullet that has a core of less than 60% lead by weight, whether the person knows or has reason to know that the plastic-coated bullet has a core of less than 60% lead by weight;

(7) selling, giving or otherwise transferring any firearm with a barrel less than 12 inches long to any person under 18 years of age whether the person knows or has reason to know the length of the barrel;

(8) selling, giving or otherwise transferring any firearms to any person who is both addicted to and an unlawful user of a controlled substance;

(9) selling, giving or otherwise transferring any firearm to any person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto;

(10) possessing any firearm by a person who is both addicted to and an unlawful user of a controlled substance;

(11) possessing any firearm by any person, other than a law enforcement officer, in or on any school property or grounds upon which is located a building or structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the

grades one through 12 or at any regularly scheduled school sponsored activity or event whether the person knows or has reason to know that such person was in or on any such property or grounds;

(12) refusing to surrender or immediately remove from school property or grounds or at any regularly scheduled school sponsored activity or event any firearm in the possession of any person, other than a law enforcement officer, when so requested or directed by any duly authorized school employee or any law enforcement officer;

(13) possessing any firearm by a person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or persons with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto;

(14) possessing a firearm with a barrel less than 12 inches long by any person less than 18 years of age;

(15) possessing any firearm while a fugitive from justice;

(16) possessing any firearm by a person who is an alien illegally or unlawfully in the United States;

(17) possessing any firearm by a person while such person is subject to a court order that:

(A) Was issued after a hearing, of which such person received actual notice, and at which such person had an opportunity to participate;

(B) restrains such person from harassing, stalking or threatening an intimate partner of such person or a child of such person or such intimate partner, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or the child; and

(C) (i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

(ii) by its terms explicitly prohibits the use, attempted use or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

(18) possessing any firearm by a person who, within the preceding five years, has been convicted of a misdemeanor for a domestic violence offense, or a misdemeanor under a law of another jurisdiction which is substantially the same as such misdemeanor offense.

(b) Criminal use of weapons as defined in:

(1) Subsection (a)(1), (a)(2), (a)(3), (a)(7), (a)(8), (a)(9) or (a)(12) is a class A nonperson misdemeanor;

(2) subsection (a)(4), (a)(5) or (a)(6) is a severity level 9, nonperson felony;

(3) subsection (a)(10) or (a)(11) is a class B nonperson select misdemeanor;

(4) subsection (a)(13), (a)(15), (a)(16), (a)(17) or (a)(18) is a severity level 8, nonperson felony; and

(5) subsection (a)(14) is a:

(A) Class A nonperson misdemeanor except as provided in subsection (b)(5)(B);

(B) severity level 8, nonperson felony upon a second or subsequent conviction.

(c) Subsections (a)(1), (a)(2) and (a)(5) shall not apply to:

(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such

officer;

(2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;

(3) members of the armed services or reserve forces of the United States or the Kansas national guard while in the performance of their official duty; or

(4) the manufacture of, transportation to, or sale of weapons to a person authorized under subsections (c)(1), (c)(2) and (c)(3) to possess such weapons.

(d) Subsections (a)(4) and (a)(5) shall not apply to any person who sells, purchases, possesses or carries a firearm, device or attachment which has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and which has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. § 5841 et seq. in the name of such person and, if such person transfers such firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor.

(e) Subsection (a)(6) shall not apply to a governmental laboratory or solid plastic bullets.

(f) Subsection (a)(4) shall not apply to a law enforcement officer who is:

(1) Assigned by the head of such officer's law enforcement agency to a tactical unit which receives specialized, regular training;

(2) designated by the head of such officer's law enforcement agency to possess devices described in subsection (a)(4); and

(3) in possession of commercially manufactured devices which are:

(A) Owned by the law enforcement agency;

(B) in such officer's possession only during specific operations; and

(C) approved by the bureau of alcohol, tobacco, firearms and explosives of the United States department of justice.

(g) Subsections (a)(4), (a)(5) and (a)(6) shall not apply to any person employed by a laboratory which is certified by the United States department of justice, national institute of justice, while actually engaged in the duties of their employment and on the premises of such certified laboratory. Subsections (a)(4), (a)(5) and (a)(6) shall not affect the manufacture of, transportation to or sale of weapons to such certified laboratory.

(h) Subsections (a)(4) and (a)(5) shall not apply to or affect any person or entity in compliance with the national firearms act, 26 U.S.C. § 5801 et seq.

(i) (1) Subsection (a)(4) shall not apply to or affect any person in possession of a device or attachment designed, used or intended for use in suppressing the report of any firearm, if such device or attachment satisfies the description of a Kansas-made firearm accessory as set forth in K.S.A. 2020 Supp. 50-1204, and amendments thereto.

(2) The provisions of this subsection shall apply to any violation of subsection (a) (4) that occurred on or after April 25, 2013.

(j) Subsection (a)(11) shall not apply to:

(1) Possession of any firearm in connection with a firearms safety course of instruction or firearms education course approved and authorized by the school;

(2) possession of any firearm specifically authorized in writing by the superintendent of any unified school district or the chief administrator of any accredited nonpublic school;

(3) possession of a firearm secured in a motor vehicle by a parent, guardian, custodian or someone authorized to act in such person's behalf who is delivering or collecting a student; ~~or~~

(4) possession of a firearm secured in a motor vehicle by a registered voter who is on the school grounds, which contain a polling place for the purpose of voting during polling hours on an election day; or

(5) possession of a concealed handgun by an individual who is not prohibited from possessing a firearm under either federal or state law, and who is either: (A) 21 years of age or older; or (B) possesses a valid provisional license issued pursuant to K.S.A. 75-7c03, and amendments thereto, or a valid license to carry a concealed handgun issued by another jurisdiction that is recognized in this state pursuant to K.S.A. 75-7c03, and amendments thereto.

(k) Subsections (a)(9) and (a)(13) shall not apply to a person who has received a certificate of restoration pursuant to K.S.A. 75-7c26, and amendments thereto.

(l) Subsection (a)(14) shall not apply if such person, less than 18 years of age, was:

(1) In attendance at a hunter's safety course or a firearms safety course;

(2) engaging in practice in the use of such firearm or target shooting at an established range authorized by the governing body of the jurisdiction in which such range is located, or at another private range with permission of such person's parent or legal guardian;

(3) engaging in an organized competition involving the use of such firearm, or participating in or practicing for a performance by an organization exempt from federal income tax pursuant to section 501(c)(3) of the internal revenue code of 1986 which uses firearms as a part of such performance;

(4) hunting or trapping pursuant to a valid license issued to such person pursuant to article 9 of chapter 32 of the Kansas Statutes Annotated, and amendments thereto;

(5) traveling with any such firearm in such person's possession being unloaded to or from any activity described in subsections (l)(1) through (l)(4), only if such firearm is secured, unloaded and outside the immediate access of such person;

(6) on real property under the control of such person's parent, legal guardian or grandparent and who has the permission of such parent, legal guardian or grandparent to possess such firearm; or

(7) at such person's residence and who, with the permission of such person's parent or legal guardian, possesses such firearm for the purpose of exercising the rights contained in K.S.A. 2020 Supp. 21-5222, 21-5223 or 21-5225, and amendments thereto.

(m) As used in this section:

(1) "Domestic violence" means the use or attempted use of physical force, or the threatened use of a deadly weapon, committed against a person with whom the offender is involved or has been involved in a dating relationship or is a family or household member.

(2) "Fugitive from justice" means any person having knowledge that a warrant for the commission of a felony has been issued for the apprehension of such person under K.S.A. 22-2713, and amendments thereto.

(3) "Intimate partner" means, with respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person or an individual who cohabitates or has cohabitated with the person.

(4) "Throwing star" means any instrument, without handles, consisting of a metal

plate having three or more radiating points with one or more sharp edges and designed in the shape of a polygon, trefoil, cross, star, diamond or other geometric shape, manufactured for use as a weapon for throwing.";

On page 2, in line 7, after "who" by inserting "is carrying a handgun, as defined in K.S.A. 75-7c02, and amendments thereto, and who"; in line 8, after "valid" by inserting "provisional license issued pursuant to K.S.A. 75-7c03, and amendments thereto, or a valid"; following line 27, by inserting:

"Sec. 4. K.S.A. 2020 Supp. 21-6309 is hereby amended to read as follows: 21-6309. (a) It shall be unlawful to possess, with no requirement of a culpable mental state, a firearm:

- (1) Within any building located within the capitol complex;
- (2) within the governor's residence;
- (3) on the grounds of or in any building on the grounds of the governor's residence;
- (4) within any other state-owned or leased building if the secretary of administration has so designated by rules and regulations and conspicuously placed signs clearly stating that firearms are prohibited within such building; or
- (5) within any county courthouse, unless, by county resolution, the board of county commissioners authorize the possession of a firearm within such courthouse.

(b) Violation of this section is a class A misdemeanor.

(c) This section shall not apply to:

- (1) A commissioned law enforcement officer;
- (2) a full-time salaried law enforcement officer of another state or the federal government who is carrying out official duties while in this state;
- (3) any person summoned by any such officer to assist in making arrests or preserving the peace while actually engaged in assisting such officer; or
- (4) a member of the military of this state or the United States engaged in the performance of duties.

(d) It is not a violation of this section for:

- (1) The governor, the governor's immediate family, or specifically authorized guest of the governor to possess a firearm within the governor's residence or on the grounds of or in any building on the grounds of the governor's residence;

- (2) the United States attorney for the district of Kansas, the attorney general, any district attorney or county attorney, any assistant United States attorney if authorized by the United States attorney for the district of Kansas, any assistant attorney general if authorized by the attorney general, or any assistant district attorney or assistant county attorney if authorized by the district attorney or county attorney by whom such assistant is employed, to possess a firearm within any county courthouse and court-related facility, subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the judicial district;

- (3) law enforcement officers, as that term is defined in K.S.A. 75-7c22, and amendments thereto, who satisfy the requirements of either K.S.A. 75-7c22(a) or (b), and amendments thereto, to possess a firearm; or

- (4) an individual to possess a concealed handgun ~~provided if~~ such individual is not prohibited from possessing a firearm under either federal or state law, and such individual is either: (A) 21 years of age or older; or (B) possesses a valid provisional license issued pursuant to K.S.A. 75-7c03, and amendments thereto, or a valid license to carry a concealed handgun issued by another jurisdiction that is recognized in this

state pursuant to K.S.A. 75-7c03, and amendments thereto.

(e) Notwithstanding the provisions of this section, any county may elect by passage of a resolution that the provisions of subsection (d)(2) shall not apply to such county's courthouse or court-related facilities if such:

(1) Buildings have adequate security measures to ensure that no weapons are permitted to be carried into such buildings;

(2) county also has a policy or regulation requiring all law enforcement officers to secure and store such officer's firearm upon entering the courthouse or court-related facility. Such policy or regulation may provide that it does not apply to court security or sheriff's office personnel for such county; and

(3) buildings have a sign conspicuously posted at each entryway into such building stating that the provisions of subsection (d)(2) do not apply to such building.

(f) As used in this section:

(1) "Adequate security measures" shall have the same meaning as the term is defined in K.S.A. 75-7c20, and amendments thereto;

(2) "possession" means having joint or exclusive control over a firearm or having a firearm in a place where the person has some measure of access and right of control; and

(3) "capitol complex" means the same as in K.S.A. 75-4514, and amendments thereto.

(g) For the purposes of subsections (a)(1), (a)(4) and (a)(5), "building" and "courthouse" shall not include any structure, or any area of any structure, designated for the parking of motor vehicles.

Sec. 5. K.S.A. 2020 Supp. 32-1002 is hereby amended to read as follows: 32-1002.

(a) Unless and except as permitted by law or rules and regulations adopted by the secretary in accordance with K.S.A. 32-805, and amendments thereto, it is unlawful for any person to:

(1) Hunt, fish, furharvest or take any wildlife in this state by any means or manner;

(2) possess any wildlife, dead or alive, at any time or in any number, in this state;

(3) purchase, sell, exchange, ship or offer for sale, exchange or shipment any wildlife in this state;

(4) take any wildlife in this state for sale, exchange or other commercial purposes;

(5) possess any seine, trammel net, hoop net, fyke net, fish gig, fish spear, fish trap or other device, contrivance or material for the purpose of taking wildlife; or

(6) take or use, at any time or in any manner, any game bird, game animal, coyote or furbearing animal, whether pen-raised or wild, in any field trial or for training dogs.

(b) The provisions of subsections (a)(2) and (a)(3) do not apply to animals sold in surplus property disposal sales of department exhibit herds or animals legally taken outside this state, except the provisions of subsection (a)(3) shall apply to:

(1) The meat of game animals legally taken outside this state; and

(2) other restrictions as provided by rule and regulation of the secretary.

(c) The provisions of this section shall not be construed to prevent:

(1) Any person from taking starlings or English and European sparrows;

(2) owners or legal occupants of land from killing any animals when found in or near buildings on their premises or when destroying property, subject to the following:

(A) The provisions of all federal laws and regulations governing protected species and the provisions of K.S.A. 32-957 through 32-963, and amendments thereto, and rules and

regulations adopted thereunder; (B) it is unlawful to use, or possess with intent to use, any such animal so killed unless authorized by rules and regulations of the secretary; and (C) such owners or legal occupants shall make reasonable efforts to alleviate their problems with any such animals before killing them;

(3) any person who lawfully possesses a handgun from carrying such handgun, whether concealed or openly carried, while lawfully hunting, fishing or furharvesting, if such person is either: (A) 21 years of age or older; or (B) possesses a valid provisional license issued pursuant to K.S.A. 75-7c03, and amendments thereto, or a valid license to carry a concealed handgun issued by another jurisdiction that is recognized in this state pursuant to K.S.A. 75-7c03, and amendments thereto; or

(4) any person who lawfully possesses a device or attachment of any kind designed, used or intended for use in suppressing the report of any firearm from using such device or attachment in conjunction with lawful hunting, fishing or furharvesting.

(d) Any person convicted of violating provisions of this section shall be subject to the penalties prescribed in K.S.A. 32-1031, and amendments thereto, except as provided in K.S.A. 32-1032, and amendments thereto, relating to big game and wild turkey.

Sec. 6. K.S.A. 75-7c02 is hereby amended to read as follows: 75-7c02. As used in the personal and family protection act, except as otherwise provided:

(a) "Attorney general" means the attorney general of the state of Kansas.

(b) "Handgun" means a "firearm," as defined in K.S.A. 75-7b01, and amendments thereto.

(c) "Athletic event" means athletic instruction, practice or competition held at any location and including any number of athletes.

(d) "Dependent" means a resident of the household of an active duty member of any branch of the armed forces of the United States who depends in whole or in substantial part upon the member for financial support.

(e) "License" means a provisional or standard license issued by the attorney general pursuant to K.S.A. 75-7c03, and amendments thereto.";

Also on page 2, in line 40, after "license" by inserting " , shall indicate whether the license is a provisional or standard license";

On page 3, in line 9, by striking all after the last comma; in line 10, by striking all before "in"; following line 31, by inserting:

"Sec. 8. K.S.A. 75-7c04 is hereby amended to read as follows: 75-7c04. (a) The attorney general shall not issue a license pursuant to this act if the applicant:

(1) Is not a resident of the county where application for licensure is made or is not a resident of the state;

(2) is prohibited from shipping, transporting, possessing or receiving a firearm or ammunition under 18 U.S.C. § 922(g) or (n), and amendments thereto, or K.S.A. 21-4204, prior to its repeal, or K.S.A. 2020 Supp. 21-6301(a)(10) through (a)(13) or K.S.A. 2020 Supp. 21-6304(a)(1) through (a)(3), and amendments thereto; or

(3)(A) For a provisional license, is less than 21 18 years of age; or

(B) for a standard license, is less than 21 years of age.

(b) (1) The attorney general shall adopt rules and regulations establishing procedures and standards as authorized by this act for an eight-hour handgun safety and training course required by this section. Such standards shall include: (A) A requirement that trainees receive training in the safe storage of handguns, actual firing of handguns and instruction in the laws of this state governing the carrying of concealed handguns

and the use of deadly force; (B) general guidelines for courses which are compatible with the industry standard for basic handgun training for civilians; (C) qualifications of instructors; and (D) a requirement that the course be: (i) A handgun course certified or sponsored by the attorney general; or (ii) a handgun course certified or sponsored by the national rifle association or by a law enforcement agency, college, private or public institution or organization or handgun training school, if the attorney general determines that such course meets or exceeds the standards required by rules and regulations adopted by the attorney general and is taught by instructors certified by the attorney general or by the national rifle association, if the attorney general determines that the requirements for certification of instructors by such association meet or exceed the standards required by rules and regulations adopted by the attorney general. Any person wanting to be certified by the attorney general as an instructor shall submit to the attorney general an application in the form required by the attorney general and a fee not to exceed \$150.

(2) The cost of the handgun safety and training course required by this section shall be paid by the applicant. The following shall constitute satisfactory evidence of satisfactory completion of an approved handgun safety and training course:

(A) Evidence of completion of a course that satisfies the requirements of subsection (b)(1), in the form provided by rules and regulations adopted by the attorney general;

(B) an affidavit from the instructor, school, club, organization or group that conducted or taught such course attesting to the completion of the course by the applicant;

(C) evidence of completion of a course offered in another jurisdiction which is determined by the attorney general to have training requirements that are equal to or greater than those required by this act; or

(D) a determination by the attorney general pursuant to subsection (c).

(c)(1) The attorney general may:

~~(1)(A)~~ Create a list of concealed carry handgun licenses or permits issued by other jurisdictions ~~which that~~ the attorney general finds have training requirements that are equal to or greater than those of this state; and

~~(2)(B)~~ review each application received pursuant to K.S.A. 75-7c05, and amendments thereto, to determine if the applicant's previous training qualifications were equal to or greater than those of this state.

~~(2)(2)~~ For the purposes of this ~~section~~ subsection:

~~(1)(A)~~ "Equal to or greater than" means the applicant's prior training meets or exceeds the training established in this section by having required, at a minimum, the applicant to: ~~(A)(i)~~ Receive instruction on the laws of self-defense; and ~~(B)(ii)~~ demonstrate training and competency in the safe handling, storage and actual firing of handguns.

~~(2)(B)~~ "Jurisdiction" means another state or the District of Columbia.

~~(2)(C)~~ "License or permit" means a concealed carry handgun license or permit from another jurisdiction ~~which that~~ has not expired and, except for any residency requirement of the issuing jurisdiction, is currently in good standing.";

On page 7, following line 2, by inserting:

"Sec. 10. K.S.A. 75-7c08 is hereby amended to read as follows: 75-7c08. (a) Not less than 90 days prior to the expiration date of the license, the attorney general shall mail to the licensee a written notice of the expiration and a renewal form prescribed by

the attorney general. The licensee shall renew the license on or before the expiration date by filing with the attorney general the renewal form, a notarized affidavit, either in person or by certified mail, stating that the licensee remains qualified pursuant to the criteria specified in K.S.A. 75-7c04, and amendments thereto, a full frontal view photograph of the applicant taken within the preceding 30 days and a nonrefundable license renewal fee of \$25 payable to the attorney general. The attorney general shall complete a name-based background check, including a search of the national instant criminal background check system database. A licensee who fails to file a renewal application on or before the expiration date of the license must pay an additional late fee of \$15. A renewal application is considered filed on the date the renewal form, affidavit, and required fees are delivered in person to the attorney general's office or on the date a certified mailing to the attorney general's office containing these items is postmarked.

(b) Upon receipt of a renewal application as specified in subsection (a), a background check in accordance with ~~subsection (d) of~~ K.S.A. 75-7c05(d), and amendments thereto, shall be completed. Fingerprints shall not be required for renewal applications. If the licensee is not disqualified as provided by this act, the license shall be renewed upon receipt by the attorney general of the items listed in subsection (a) and the completion of the background check. If the licensee holds a valid provisional license at the time the renewal application is submitted, then the attorney general shall issue a standard license to the licensee if the licensee is not disqualified as provided by this act.

(c) No license shall be renewed if the renewal application is filed six months or more after the expiration date of the license, and such license shall be deemed to be permanently expired. A person whose license has been permanently expired may reapply for licensure but an application for licensure and fees pursuant to K.S.A. 75-7c05, and amendments thereto, shall be submitted, and a background investigation including the submission of fingerprints, shall be conducted pursuant to the provisions of that section.

Sec. 11. K.S.A. 75-7c21 is hereby amended to read as follows: 75-7c21. (a) An individual may carry a concealed handgun in the state capitol, ~~provided if~~ such individual is not prohibited from possessing a firearm under either federal or state law, and is either: (A) 21 years of age or older; or (B) possesses a valid provisional license issued pursuant to K.S.A. 75-7c03, and amendments thereto, or a valid license to carry a concealed handgun issued by another jurisdiction that is recognized in this state pursuant to K.S.A. 75-7c03, and amendments thereto.

(b) This section shall be a part of and supplemental to the personal and family protection act.";

Also on page 7, in line 3, after the first "K.S.A." by inserting "75-7c02,"; also in line 3, by striking the first "and" and inserting ", 75-7c04,"; also in line 3, after "75-7c05" by inserting ", 75-7c08 and 75-7c21"; also in line 3, after "Supp." by inserting "21-5914, 21-6301,"; also in line 3, after "21-6302" by inserting ", 21-6309 and 32-1002";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the second semicolon by inserting "creating a provisional license for persons under the age of 21;"; in line 4, after "K.S.A." by inserting "75-7c02,"; also in line 4, by striking "and" and inserting ", 75-7c04,"; also in line 4, after "75-7c05" by inserting ", 75-7c08 and 75-7c21"; in line 5, after "Supp." by inserting "21-5914, 21-6301,"; also in line 5, after "21-6302" by inserting ", 21-6309 and 32-1002"

On roll call, the vote was: Yeas 87; Nays 35; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anderson, Arnberger, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Finney, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Victors, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Baker, Ballard, Bishop, Byers, Carlin, Clayton, Coleman, Curtis, Day, Featherston, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Ruiz, L., Ruiz, S., Sawyer, Schreiber, Stogsdill, Vaughn, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Samsel, Seiwert.

Also, on motion of Rep. Highberger to amend **HB 2058**, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Ballard to amend **HB 2058** as amended by House Committee, on page 7, following line 2, by inserting:

"Sec. 4. K.S.A. 75-7c20 is hereby amended to read as follows: 75-7c20. (a) The carrying of a concealed handgun shall not be prohibited in any public area of any state or municipal building unless such public area has adequate security measures to ensure that no weapons are permitted to be carried into such public area and the public area is conspicuously posted with either permanent or temporary signage approved by the governing body, or the chief administrative officer, if no governing body exists, in accordance with K.S.A. 75-7c10, and amendments thereto.

(b) The carrying of a concealed handgun shall not be prohibited throughout any state or municipal building in its entirety unless such building has adequate security measures at all public access entrances to ensure that no weapons are permitted to be carried into such building and the building is conspicuously posted in accordance with K.S.A. 75-7c10, and amendments thereto.

(c) No state agency or municipality shall prohibit an employee from carrying a concealed handgun at the employee's work place unless the building has adequate security measures at all public access entrances to ensure that no weapons are permitted to be carried into such building and the building is conspicuously posted in accordance with K.S.A. 75-7c10, and amendments thereto.

(d) (1) It shall not be a violation of the personal and family protection act for a person to carry a concealed handgun into a state or municipal building, or any public area thereof, so long as that person has authority to enter through a restricted access entrance into such building, or public area thereof, that provides adequate security measures at all public access entrances and the building, or public area thereof, is conspicuously posted in accordance with K.S.A. 75-7c10, and amendments thereto.

(2) Any person, who is not an employee of the state or a municipality and is not otherwise authorized to enter a state or municipal building through a restricted access entrance, shall be authorized to enter through a restricted access entrance, provided such

person:

(A) Is authorized by the chief law enforcement officer, governing body, or the chief administrative officer, if no governing body exists, to enter such state or municipal building through a restricted access entrance;

(B) is issued an identification card by the chief law enforcement officer, governing body, or the chief administrative officer, if no governing body exists, which includes such person's photograph, name and any other identifying information deemed necessary by the issuing entity, and which states on the identification card that such person is authorized to enter such building through a restricted access entrance; and

(C) executes an affidavit or other notarized statement that such person acknowledges that certain firearms and weapons may be prohibited in such building and that violating any such regulations may result in the revocation of such person's authority to enter such building through a restricted access entrance.

The chief law enforcement officer, governing body, or the chief administrative officer, if no governing body exists, shall develop criteria for approval of individuals subject to this paragraph to enter the state or municipal building through a restricted access entrance. Such criteria may include the requirement that the individual submit to a state and national criminal history records check before issuance and renewal of such authorization and pay a fee to cover the costs of such background checks. An individual who has been issued a concealed carry permit by the state of Kansas shall not be required to submit to another state and national criminal records check before issuance and renewal of such authorization. Notwithstanding any authorization granted under this paragraph, an individual may be subjected to additional security screening measures upon reasonable suspicion or in circumstances where heightened security measures are warranted. Such authorization does not permit the individual to carry a concealed weapon into a public building, ~~which that~~ has adequate security measures, as defined by this act, and ~~which that~~ is conspicuously posted in accordance with K.S.A. 75-7c10, and amendments thereto.

(e) A state agency or municipality that provides adequate security measures in a state or municipal building and ~~which that~~ conspicuously posts signage in accordance with K.S.A. 75-7c10, and amendments thereto, prohibiting the carrying of a concealed handgun in such building shall not be liable for any wrongful act or omission relating to actions of persons carrying a concealed handgun concerning acts or omissions regarding such handguns.

(f) A state agency or municipality that does not provide adequate security measures in a state or municipal building and that allows the carrying of a concealed handgun shall not be liable for any wrongful act or omission relating to actions of persons carrying a concealed handgun concerning acts or omissions regarding such handguns.

(g) Nothing in this act shall limit the ability of a corrections facility, a jail facility or a law enforcement agency to prohibit the carrying of a handgun or other firearm concealed or unconcealed by any person into any secure area of a building located on such premises, except those areas of such building outside of a secure area and readily accessible to the public shall be subject to the provisions of subsection (a).

(h) Nothing in this section shall limit the ability of the chief judge of each judicial district to prohibit the carrying of a concealed handgun by any person into courtrooms or ancillary courtrooms within the district provided the public area has adequate security measures to ensure that no weapons are permitted to be carried into such public

area and the public area is conspicuously posted in accordance with K.S.A. 75-7c10, and amendments thereto.

~~(i) The governing body or the chief administrative officer, if no governing body exists, of a state or municipal building, may exempt the building, or any public area thereof, from this section until July 1, 2017, by adopting a resolution, or drafting a letter, listing the legal description of such building, listing the reasons for such exemption, and including the following statement: "A security plan has been developed for the building being exempted which supplies adequate security to the occupants of the building and merits the prohibition of the carrying of a concealed handgun." A copy of the security plan for the building shall be maintained on file and shall be made available, upon request, to the Kansas attorney general and the law enforcement agency of local jurisdiction. Notice of this exemption, together with the resolution adopted or the letter drafted, shall be sent to the Kansas attorney general and to the law enforcement agency of local jurisdiction. The security plan shall not be subject to disclosure under the Kansas open records act.~~

~~(j) The governing body or the chief administrative officer, if no governing body exists, of any postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto, may exempt any building of such institution, including any buildings located on the grounds of such institution and any buildings leased by such institution, or any public area thereof, from this section until July 1, 2017, by stating the reasons for such exemption and sending notice of such exemption to the Kansas attorney general.~~

~~(k) The provisions of this section shall not apply to:~~

~~(1) Any building located on the grounds of the Kansas state school for the deaf or the Kansas state school for the blind;~~

~~(2) a state or municipal-owned medical care facility, as defined in K.S.A. 65-425, and amendments thereto;~~

~~(3) a state or municipal-owned adult care home, as defined in K.S.A. 39-923, and amendments thereto;~~

~~(4) a community mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto;~~

~~(5) an indigent health care clinic, as defined by K.S.A. 65-7402, and amendments thereto; or~~

~~(6) any postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto; or~~

~~(7) any building owned or leased by the authority created under the university of Kansas hospital authority act, any building located within the health care district, as defined in the unified government of Wyandotte county and Kansas City, Kansas City-wide master plan, Rosedale master plan and traffic study or similar master plan or comprehensive planning or zoning document approved by the unified government of Wyandotte county and Kansas City, Kansas in effect on January 12, 2017.~~

~~(h)(i) Nothing in this section shall be construed to prohibit any law enforcement officer, as defined in K.S.A. 75-7c22, and amendments thereto, who satisfies the requirements of either K.S.A. 75-7c22(a) or (b), and amendments thereto, from carrying a concealed handgun into any state or municipal building, or any public area thereof, in accordance with the provisions of K.S.A. 75-7c22, and amendments thereto, subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the~~

judicial district.

~~(m)~~(k) For purposes of this section:

(1) "Adequate security measures" means the use of electronic equipment and armed personnel at public entrances to detect and restrict the carrying of any weapons into the state or municipal building, or any public area thereof, including, but not limited to, metal detectors, metal detector wands or any other equipment used for similar purposes to ensure that weapons are not permitted to be carried into such building or public area by members of the public. Adequate security measures for storing and securing lawfully carried weapons, including, but not limited to, the use of gun lockers or other similar storage options may be provided at public entrances.

(2) "Authorized personnel" means employees of a state agency or municipality and any person granted authorization pursuant to subsection (d)(2), who are authorized to enter a state or municipal building through a restricted access entrance.

(3) The terms "municipality" and "municipal" are interchangeable and have the same meaning as the term "municipality" is defined in K.S.A. 75-6102, and amendments thereto, but does not include school districts.

(4) "Public area" means any portion of a state or municipal building that is open to and accessible by the public or which is otherwise designated as a public area by the governing body or the chief administrative officer, if no governing body exists, of such building.

(5) "Restricted access entrance" means an entrance that is restricted to the public and requires a key, keycard, code; or similar device to allow entry to authorized personnel.

(6) "State" means the same as the term is defined in K.S.A. 75-6102, and amendments thereto.

(7) (A) "State or municipal building" means a building owned or leased by such public entity. It does not include a building owned by the state or a municipality ~~which~~ that is leased by a private entity whether for profit or not-for-profit or a building held in title by the state or a municipality solely for reasons of revenue bond financing.

(B) The term "state and municipal building" shall not include the state capitol.

(8) "Weapon" means a weapon described in K.S.A. 2020 Supp. 21-6301, and amendments thereto, except the term "weapon" shall not include any cutting instrument that has a sharpened or pointed blade.

~~(n)~~(l) This section shall be a part of and supplemental to the personal and family protection act.:"

Also on page 7, in line 3, by striking the first "and" and inserting a comma; also in line 3, after "75-7c05" by inserting "and 75-7c20";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the semicolon by inserting "providing permanent exemptions for postsecondary educational institutions.:"; also in line 4, by striking "and" and inserting a comma; also in line 4, after "75-7c05" by inserting "and 75-7c20"

On roll call, the vote was: Yeas 41; Nays 80; Present but not voting: 1; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Concannon, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Schreiber, Stogsdill, Vaughn, Victors,

Weigel, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Smith, A., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Present but not voting: Smith, C..

Absent or not voting: Howard, Samsel, Seiwert.

The motion of Rep. Ballard did not prevail.

Also, roll call was demanded on motion of Rep. Hoyer to amend **HB 2058** as amended by House Committee, on page 3, in line 5, after "state" by inserting "if the holder of such license has satisfied licensure and training requirements that are consistent with this act";

Also, on page 3, following line 31, by inserting:

"Sec. 3. K.S.A. 75-7c04 is hereby amended to read as follows: 75-7c04. (a) The attorney general shall not issue a license pursuant to this act if the applicant:

(1) Is not a resident of the county where application for licensure is made or is not a resident of the state;

(2) is prohibited from shipping, transporting, possessing or receiving a firearm or ammunition under 18 U.S.C. § 922(g) or (n), and amendments thereto, or K.S.A. 21-4204, prior to its repeal, or K.S.A. 2020 Supp. 21-6301(a)(10) through (a)(13) or K.S.A. 2020 Supp. 21-6304(a)(1) through (a)(3), and amendments thereto; or

(3) is less than 21 years of age.

(b) (1) The attorney general shall adopt rules and regulations establishing procedures and standards as authorized by this act for an eight-hour handgun safety and training course required by this section. Such standards shall include: (A) A requirement that trainees receive training in the safe storage of handguns, actual firing of handguns and instruction in the laws of this state governing the carrying of concealed handguns and the use of deadly force; (B) general guidelines for courses which are compatible with the industry standard for basic handgun training for civilians; (C) qualifications of instructors; and (D) a requirement that the course be: (i) A handgun course certified or sponsored by the attorney general; or (ii) a handgun course certified or sponsored by the national rifle association or by a law enforcement agency, college, private or public institution or organization or handgun training school, if the attorney general determines that such course meets or exceeds the standards required by rules and regulations adopted by the attorney general and is taught by instructors certified by the attorney general or by the national rifle association, if the attorney general determines that the requirements for certification of instructors by such association meet or exceed the standards required by rules and regulations adopted by the attorney general. Any person wanting to be certified by the attorney general as an instructor shall submit to the attorney general an application in the form required by the attorney general and a fee not to exceed \$150.

(2) The cost of the handgun safety and training course required by this section shall

be paid by the applicant. The following shall constitute satisfactory evidence of satisfactory completion of an approved handgun safety and training course:

(A) Evidence of completion of a course that satisfies the requirements of subsection (b)(1), in the form provided by rules and regulations adopted by the attorney general;

(B) an affidavit from the instructor, school, club, organization or group that conducted or taught such course attesting to the completion of the course by the applicant;

(C) evidence of completion of a course offered in another jurisdiction which is determined by the attorney general to have training requirements that are equal to or greater than those required by this act; or

(D) a determination by the attorney general pursuant to subsection (c).

(c) The attorney general may:

(1) Create a list of concealed carry handgun licenses or permits issued by other jurisdictions which the attorney general finds have training and licensure requirements that are equal to or greater than those ~~of this state~~ required by this section; and

(2) review each application received pursuant to K.S.A. 75-7c05, and amendments thereto, to determine if the applicant's previous training and licensure qualifications were equal to or greater than those ~~of this state~~ required by this section.

(d) For the purposes of this section:

(1) "Equal to or greater than" means the applicant's prior training meets or exceeds the training established in this section by having required, at a minimum, the applicant to: (A) Receive instruction on the laws of self-defense; and (B) demonstrate training and competency in the safe handling, storage and actual firing of handguns.

(2) "Jurisdiction" means another state or the District of Columbia.

(3) "License or permit" means a concealed carry handgun license or permit from another jurisdiction which has not expired and, except for any residency requirement of the issuing jurisdiction, is currently in good standing.";

On page 7, in line 3, after "75-7c03" by inserting ", 75-7c04";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the second semicolon by inserting "requirements;"; in line 4, after "75-7c03" by inserting ", 75-7c04"

On roll call, the vote was: Yeas 40; Nays 81; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgeson, Henderson, Highberger, Hoye, Kuether, Lynn, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Toplikar, Vaughn, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Averkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Schreiber, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Present but not voting: None.

Absent or not voting: Howard, Samsel, Seiwert, Victors.

The motion of Rep. Hoye did not prevail.

Also, roll call was demanded on motion of Rep. Woodard to amend **HB 2058** as amended by House Committee, on page 7, following line 2, by inserting:

"Sec. 4. K.S.A. 75-7c20 is hereby amended to read as follows: 75-7c20. (a) The carrying of a concealed handgun shall not be prohibited in any public area of any state or municipal building unless such public area has adequate security measures to ensure that no weapons are permitted to be carried into such public area and the public area is conspicuously posted with either permanent or temporary signage approved by the governing body, or the chief administrative officer, if no governing body exists, in accordance with K.S.A. 75-7c10, and amendments thereto.

(b) The carrying of a concealed handgun shall not be prohibited throughout any state or municipal building in its entirety unless such building has adequate security measures at all public access entrances to ensure that no weapons are permitted to be carried into such building and the building is conspicuously posted in accordance with K.S.A. 75-7c10, and amendments thereto.

(c) No state agency or municipality shall prohibit an employee from carrying a concealed handgun at the employee's work place unless the building has adequate security measures at all public access entrances to ensure that no weapons are permitted to be carried into such building and the building is conspicuously posted in accordance with K.S.A. 75-7c10, and amendments thereto.

(d) (1) It shall not be a violation of the personal and family protection act for a person to carry a concealed handgun into a state or municipal building, or any public area thereof, so long as that person has authority to enter through a restricted access entrance into such building, or public area thereof, that provides adequate security measures at all public access entrances and the building, or public area thereof, is conspicuously posted in accordance with K.S.A. 75-7c10, and amendments thereto.

(2) Any person, who is not an employee of the state or a municipality and is not otherwise authorized to enter a state or municipal building through a restricted access entrance, shall be authorized to enter through a restricted access entrance, provided such person:

(A) Is authorized by the chief law enforcement officer, governing body, or the chief administrative officer, if no governing body exists, to enter such state or municipal building through a restricted access entrance;

(B) is issued an identification card by the chief law enforcement officer, governing body, or the chief administrative officer, if no governing body exists, which includes such person's photograph, name and any other identifying information deemed necessary by the issuing entity, and which states on the identification card that such person is authorized to enter such building through a restricted access entrance; and

(C) executes an affidavit or other notarized statement that such person acknowledges that certain firearms and weapons may be prohibited in such building and that violating any such regulations may result in the revocation of such person's authority to enter such building through a restricted access entrance.

The chief law enforcement officer, governing body, or the chief administrative officer, if no governing body exists, shall develop criteria for approval of individuals subject to this paragraph to enter the state or municipal building through a restricted

access entrance. Such criteria may include the requirement that the individual submit to a state and national criminal history records check before issuance and renewal of such authorization and pay a fee to cover the costs of such background checks. An individual who has been issued a concealed carry permit by the state of Kansas shall not be required to submit to another state and national criminal records check before issuance and renewal of such authorization. Notwithstanding any authorization granted under this paragraph, an individual may be subjected to additional security screening measures upon reasonable suspicion or in circumstances where heightened security measures are warranted. Such authorization does not permit the individual to carry a concealed weapon into a public building, which has adequate security measures, as defined by this act, and which is conspicuously posted in accordance with K.S.A. 75-7c10, and amendments thereto.

(e) A state agency or municipality that provides adequate security measures in a state or municipal building and which conspicuously posts signage in accordance with K.S.A. 75-7c10, and amendments thereto, prohibiting the carrying of a concealed handgun in such building shall not be liable for any wrongful act or omission relating to actions of persons carrying a concealed handgun concerning acts or omissions regarding such handguns.

(f) A state agency or municipality that does not provide adequate security measures in a state or municipal building and that allows the carrying of a concealed handgun shall not be liable for any wrongful act or omission relating to actions of persons carrying a concealed handgun concerning acts or omissions regarding such handguns.

(g) Nothing in this act shall limit the ability of a corrections facility, a jail facility or a law enforcement agency to prohibit the carrying of a handgun or other firearm concealed or unconcealed by any person into any secure area of a building located on such premises, except those areas of such building outside of a secure area and readily accessible to the public shall be subject to the provisions of subsection (a).

(h) Nothing in this section shall limit the ability of the chief judge of each judicial district to prohibit the carrying of a concealed handgun by any person into courtrooms or ancillary courtrooms within the district provided the public area has adequate security measures to ensure that no weapons are permitted to be carried into such public area and the public area is conspicuously posted in accordance with K.S.A. 75-7c10, and amendments thereto.

~~(i) The governing body or the chief administrative officer, if no governing body exists, of a state or municipal building, may exempt the building, or any public area thereof, from this section until July 1, 2017, by adopting a resolution, or drafting a letter, listing the legal description of such building, listing the reasons for such exemption, and including the following statement: "A security plan has been developed for the building being exempted which supplies adequate security to the occupants of the building and merits the prohibition of the carrying of a concealed handgun." A copy of the security plan for the building shall be maintained on file and shall be made available, upon request, to the Kansas attorney general and the law enforcement agency of local jurisdiction. Notice of this exemption, together with the resolution adopted or the letter drafted, shall be sent to the Kansas attorney general and to the law enforcement agency of local jurisdiction. The security plan shall not be subject to disclosure under the Kansas open records act.~~

~~(j) The governing body or the chief administrative officer, if no governing body~~

~~exists, of any postsecondary educational institution, as defined in K.S.A. 74-3201b, and amendments thereto, may exempt any building of such institution, including any buildings located on the grounds of such institution and any buildings leased by such institution, or any public area thereof, from this section until July 1, 2017, by stating the reasons for such exemption and sending notice of such exemption to the Kansas attorney general (1) Except as provided in paragraph (2), a postsecondary educational institution may prohibit the carrying of concealed handguns in any building of such institution, including any buildings located on the grounds of such institution and any buildings leased by such institution, or any public area thereof, provided that the building or public area thereof is conspicuously posted in accordance with K.S.A. 75-7c10, and amendments thereto.~~

~~(2) A postsecondary educational institution shall not prohibit the holder of a license issued pursuant to or recognized by this act from carrying a concealed handgun in any building of such institution or public area thereof, unless such building or public area has adequate security measures to ensure that no weapons are permitted to be carried into such building or public area and there is signage conspicuously posted in accordance with K.S.A. 75-7c10, and amendments thereto.~~

~~(k)(j)~~ The provisions of this section shall not apply to:

(1) Any building located on the grounds of the Kansas state school for the deaf or the Kansas state school for the blind;

(2) a state or municipal-owned medical care facility, as defined in K.S.A. 65-425, and amendments thereto;

(3) a state or municipal-owned adult care home, as defined in K.S.A. 39-923, and amendments thereto;

(4) a community mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto;

(5) an indigent health care clinic, as defined by K.S.A. 65-7402, and amendments thereto; or

(6) any building owned or leased by the authority created under the university of Kansas hospital authority act, any building located within the health care district, as defined in the unified government of Wyandotte county and Kansas City, Kansas City-wide master plan, Rosedale master plan and traffic study or similar master plan or comprehensive planning or zoning document approved by the unified government of Wyandotte county and Kansas City, Kansas in effect on January 12, 2017.

~~(h)(k)~~ Nothing in this section shall be construed to prohibit any law enforcement officer, as defined in K.S.A. 75-7c22, and amendments thereto, who satisfies the requirements of either K.S.A. 75-7c22(a) or (b), and amendments thereto, from carrying a concealed handgun into any state or municipal building, or any public area thereof, in accordance with the provisions of K.S.A. 75-7c22, and amendments thereto, subject to any restrictions or prohibitions imposed in any courtroom by the chief judge of the judicial district.

~~(m)(l)~~ For purposes of this section:

(1) "Adequate security measures" means the use of electronic equipment and armed personnel at public entrances to detect and restrict the carrying of any weapons into the state or municipal building, or any public area thereof, including, but not limited to, metal detectors, metal detector wands or any other equipment used for similar purposes to ensure that weapons are not permitted to be carried into such building or public area

by members of the public. Adequate security measures for storing and securing lawfully carried weapons, including, but not limited to, the use of gun lockers or other similar storage options may be provided at public entrances.

(2) "Authorized personnel" means employees of a state agency or municipality and any person granted authorization pursuant to subsection (d)(2), who are authorized to enter a state or municipal building through a restricted access entrance.

(3) The terms "municipality" and "municipal" are interchangeable and have the same meaning as the term "municipality" is defined in K.S.A. 75-6102, ~~and amendments thereto, but does not include school districts. The term "municipality" does not include school districts or postsecondary educational institutions, as defined in K.S.A. 74-3201b, and amendments thereto.~~

(4) "Public area" means any portion of a state or municipal building that is open to and accessible by the public or which is otherwise designated as a public area by the governing body or the chief administrative officer, if no governing body exists, of such building.

(5) "Restricted access entrance" means an entrance that is restricted to the public and requires a key, keycard, code, or similar device to allow entry to authorized personnel.

(6) "State" means the same as the term is defined in K.S.A. 75-6102, and amendments thereto.

(7) (A) "State or municipal building" means a building owned or leased by such public entity. It does not include a building owned by the state or a municipality which is leased by a private entity whether for profit or not-for-profit or a building held in title by the state or a municipality solely for reasons of revenue bond financing.

(B) The term "state and municipal building" shall not include the state capitol.

(8) "Weapon" means a weapon described in K.S.A. 2020 Supp. 21-6301, and amendments thereto, except the term "weapon" shall not include any cutting instrument that has a sharpened or pointed blade.

~~(n)~~(m) This section shall be a part of and supplemental to the personal and family protection act.:";

Also on page 7, in line 3, by striking the first "and" and inserting a comma; also in line 3, after "75-7c05" by inserting "and 75-7c20";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the first semicolon by inserting "carrying a concealed handgun at a postsecondary educational institution;"; in line 4, by striking "and" and inserting a comma; also in line 4, after "75-7c05" by inserting "and 75-7c20"

On roll call, the vote was: Yeas 42; Nays 79; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Concannon, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Lynn, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Schreiber, Stogsdill, Vaughn, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert,

Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Present but not voting: None.

Absent or not voting: Howard, Samsel, Seiwert, Victors.

The motion of Rep. Woodard did not prevail.

Also, on motion of Rep. Penn to amend **HB 2058**, Rep. Poetter requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and the bill be passed as amended.

#### **MESSAGES FROM THE SENATE**

Announcing passage of **SB 23, SB 91, SB 102, SB 104, SB 122, SB 131, SB 160, SB 170, SB 235**.

Announcing passage of **SB 83, SB 142, SB 172, SB 175, SB 261**.

The Senate accedes to the request of the House for a conference on **HB 2022** and has appointed Senators Billinger, Claeys and Hawk as conferees on the part of the Senate.

The Senate concurs in House amendments to **SB 88**.

The Senate announced the appointment of Senators Warren, Wilborn, and Corson to replace Senators Kerschen, Straub, and Ware as conferees on **SB 40**.

#### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 23, SB 83, SB 91, SB 102, SB 104, SB 122, SB 131, SB 142, SB 160, SB 170, SB 172, SB 175, SB 235, SB 261**.

#### **CHANGE OF CONFEREES**

Reps. Patton, Ralph, and Carmichael are appointed to replace Reps Rahjes, E. Smith, and Carlin as members of the conference committee on **SB 40**.

On motion of Rep. Hawkins, the House adjourned until 1:00 p.m., Thursday, March 4, 2021.

# Journal of the House

THIRTY-EIGHTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, March 4, 2021, 1:00 p.m.

The House met pursuant to adjournment with Speaker pro tem Finch in the chair.

The roll was called with 123 members present.

Rep. Howard was excused on verified illness.

Rep. Seiwert was excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty God,  
again, we thank you for a beautiful day.  
As the date reflects,  
help us to “March Fourth.”  
The past cannot be changed.  
We do not want to forget the past,  
but we want to learn from the past.  
We want to take full advantage of the present  
in order to prepare for the future.  
So, we take from Your Word these challenging words,  
“I press on toward the goal to win the prize  
for which God has called me heavenward in Christ Jesus.”  
We are to stand firm...letting nothing move us...  
always giving of ourselves fully  
to the work God has called us to,  
because we know that our work is not in vain.  
This I pray in Your Name, Amen.  
(Philippians 3:14; I Corinthians 15:58)

The Pledge of Allegiance was led by Rep. Probst.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Agriculture: **SB 142, SB 160, SB 261.**

Children and Seniors: **SB 83.**

Commerce, Labor and Economic Development: **SB 91.**

Health and Human Services: **SB 170, SB 175.**

Judiciary: **SB 102, SB 104, SB 122, SB 172.**

K-12 Education Budget: **SB 235.**

Taxation: **SB 23.**

Transportation: **SB 131.**

**MESSAGES FROM THE SENATE**

Announcing passage of **SB 71, SB 72, SB 119, SB 147.**

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 71, SB 72, SB 119, SB 147.**

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Blex, **HR 6011**, by Reps. Blex, Amyx, Bergquist, Clark, Delpdang, Dodson, Ellis, Esau, Estes, Francis, Gartner, Hoheisel, Humphries, Johnson, Kessler, Mason, Murphy, Neighbor, Newland, Proctor, Resman, Schreiber, Smith, Toplikar, Turner and Wheeler, as follows, was introduced and adopted:

HOUSE RESOLUTION No. **HR 6011**—A RESOLUTION honoring the Kansas Army and Air National Guard.

**HR 6011**—A RESOLUTION honoring the brave men and women of the Kansas Army and Air National Guard for serving the state of Kansas and the United States in times of emergency.

WHEREAS, The Kansas Army and Air National Guard is comprised of approximately 7,500 Guardsmen currently serving the state of Kansas; and

WHEREAS, The National Guard answers the call of duty at home and abroad; and

WHEREAS, The incredible versatility of the National Guard enables its troops to respond to domestic emergencies, combat missions, counterdrug efforts and many other critical operations with commendable speed, strength and efficiency; and

WHEREAS, Whether the call is coming from the Governor of Kansas or directly from the President of the United States, National Guard Citizen-Soldiers and Airmen are always ready to serve their communities, state and nation; and

WHEREAS, Kansas Guardsmen have faithfully served in U.S. conflicts since the state's adoption as a territory; and

WHEREAS, Kansas Guardsmen have served in the Civil War, the American Indian Wars, World War I, World War II, the Korean War, the Berlin Crisis, the Vietnam War, Operation Desert Shield, Operation Desert Storm, Operation Northern Watch, Operation Southern Watch, Operation Restore Hope, Operation Joint Endeavor, Operation Deny Flight, Operation Joint Guardian, Operation Phoenix Scorpion, Operation Phoenix Scorpion III, Operation Desert Fox, Operation Noble Eagle, Operation New Dawn, Operation Iraqi Freedom, Operation Enduring Freedom, Operation Inherent Resolve, Operation Spartan Shield, Operation Freedom's Sentinel and in protecting the U.S. border with Mexico; and

WHEREAS, Recently, nearly 300 Kansas National Guard Soldiers and Airmen were deployed to Washington, D.C., to protect the U.S. Capitol; and

WHEREAS, Kansas National Guardsmen readily answer the state's call in times of disaster as demonstrated by their quick and reliable response to the various hazardous events, including COVID-19, wildfires, flooding, windstorms and tornadoes throughout the state: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we honor the brave men and women of the Kansas Army and Air National Guard for serving the state of Kansas and the United States in times of emergency; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to Representative Blex.

There being no objection the following remarks of Rep. Blex are spread upon the Journal:

Body, I am bringing to you, for your consideration today a resolution honoring our Kansas Army and Air National Guard men and women. They answer the call of duty at home and abroad. Recently over 300 Kansas National Guard answered a moment's notice call to protect our nation's Capitol. Imagine the thought entering their mind making the decision to utilize, maybe deadly force against their fellow citizens, thank God that did not happen.

In many ways our citizen/soldiers have a more difficult time adjusting to the call of duty than our honorable soldiers that are on active duty. A long time ago while on active duty I was deployed for a combat tour in Vietnam for 14 months, but at least I had a 30 day notice to prepare.

I watched a young neighbor lady with 3 young children ages 6 months to 4 years trying to arrange for a 24-7 child care arrangement for very young children. Her husband was out of town on a construction job and could not be available for 2 weeks. Only the mothers in this body can understand the emotional stress of leaving your young children in care of someone else and not being able to say for sure when she would be back. She came to our house and we agreed to watch and care for her farm animals and pets. It was a small gesture on our part, but a big relief for her.

I watched her tearfully kiss and hug her small children and tell them bye, "Mommy will see you soon." It was comforting to the 4 year old, but the younger children did not comprehend. She knew in her heart she was not sure when the "see you soon" would be.

She loaded her gear and was off to defend our nation's Capitol, why, because she loved our country, believed in the American greatness and was willing to sacrifice the separation from her children and family to answer the call of duty. I know some of you in this chamber who have served can understand this feeling. For others than may have not had the privilege of serving in the military, I only ask that you support your friends and neighbors who answer that call!! That young lady was my granddaughter and I could not be more proud of her. Thank you Body, for your support!!

## CONSENT CALENDAR

No objection was made to **HB 2313** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2313**, AN ACT concerning property taxation; relating to motor vehicles; allowing Kansas national guard and reservist members who are in good standing to receive a property tax exemption for up to two motor vehicles; amending K.S.A. 79-5107 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed.

**HB 2039**, AN ACT concerning education; relating to civics instruction; requiring students to pass a civics examination for high school graduation; amending K.S.A. 72-3217 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 69; Nays 54; Present but not voting: 0; Absent or not voting: 2.

Yeas: Arnberger, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Burris, B. Carpenter, W. Carpenter, Collins, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Finney, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Houser, Howe, Huebert, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Ohaebosim, F. Patton, Penn, Poetter, Proctor, Rahjes, Resman, Rhiley, Ryckman, Samsel, Sanders, Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, K. Williams.

Nays: Alcalá, Amyx, Anderson, Baker, Ballard, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, Clark, Clayton, Coleman, Concannon, Curtis, Day, Featherston, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoheisel, Hoye, Jennings, S. Johnson, Kelly, Kuether, Miller, Neighbor, Orr, Ousley, Owens, Parker, Poskin, Probst, Proehl, Ralph, Ruiz, L., Ruiz, S., Sawyer, Schreiber, Smith, A., Stogsdill, Vaughn, Victors, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed, as amended.

**HB 2058**, AN ACT concerning firearms; relating to the personal and family protection act; recognition of licenses issued by other jurisdictions; creating a provisional license for persons under the age of 21; authorizing the issuance of alternative license during a declared state of disaster emergency; amending K.S.A. 75-

7c02, 75-7c03, 75-7c04, 75-7c05, 75-7c08 and 75-7c21 and K.S.A. 2020 Supp. 21-5914, 21-6301, 21-6302, 21-6309 and 32-1002 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 85; Nays 38; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Finney, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Gartner, Haswood, Helgeson, Henderson, Highberger, Hoye, Kuether, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Ruiz, L., Ruiz, S., Sawyer, Schreiber, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed, as amended.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I voted NO on **HB 2058**. You have heard it before, the usual arguments used to justify purchasing and carrying a gun. They are, “any law-abiding citizen” and “I should have the right to protect myself and my family”. And it has worked. This propaganda has been used by the gun industry to instill fear that somehow someone is always out to hurt you and/or your family. This is a bad bill given our current political climate that perpetuates nationalism and racial division. It is a bad bill given the high rate of suicide among young people. – SUSAN RUIZ

MR. SPEAKER: I vote NO on **House Bill 2058**, a far-reaching and dangerous bill. Why would we allow 18, 19, and 20 year-olds to load and hide handguns that they can't legally purchase at federally licensed gun dealers? Lowering the conceal carry permitting age puts young Kansans and their families at-risk. Crimes are more serious and deadly when guns are involved. Why did this bill stall in 2018? I remember, because I was here at the Capitol on Valentine's Day when a 19-year-old former student shot and killed 17 children and teachers. If enacted, it won't be a crime for 19-year-old former students to carry handguns into K-12 schools. – JO ELLA HOYE, LINDSAY VAUGHN, MARI-LYNN POSKIN, LINDA FEATHERSTON, CHRISTINA HASWOOD, JENNIFER DAY, RUI XU

MR. SPEAKER: I support the second amendment. However, **House Bill 2058**, as amended, contains a dangerous provision that allows teenagers to carry hidden, loaded handguns. This bill weakens our gun laws and creates loopholes in Kansas law that could allow 18-, 19-, and 20-year-olds to carry guns in K-12 schools without

committing a crime – which they are currently prohibited from doing. We should be doing everything we can to minimize risks to our children, not increase the chance of endangering their lives. This is a reckless bill. I hope that we will continue to work on legislation ensuring safe, responsible gun ownership. Therefore, I vote no on **House Bill 2058**. – VALDENIA WINN, STEPHANIE BYERS, JIM GARTNER

**HB 2085**, AN ACT concerning postsecondary education; creating the students' right to know act; relating to the publication of certain information regarding postsecondary education, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed.

**HB 2088**, AN ACT concerning children and minors; relating to procedures in investigations of child abuse or neglect; amending K.S.A. 2020 Supp. 38-2226 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 2; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn,

Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Jacobs, Lee-Hahn.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed, as amended.

**HB 2126**, AN ACT concerning adult care facilities; relating to civil liability for COVID-19 claims; providing immunity therefrom; modifying the definition of adult care facility; amending K.S.A. 2020 Supp. 60-5502, 60-5506 and 60-5508 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 85; Nays 37; Present but not voting: 1; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helgerson, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, S., Ryckman, Samsel, Sanders, Schreiber, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Wolfe Moore.

Nays: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Henderson, Highberger, Hoye, Kuether, Lee-Hahn, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Ruiz, L., Sawyer, Stogsdill, Toplikar, Vaughn, Victors, Weigel, Winn, Woodard, Xu.

Present but not voting: Probst.

Absent or not voting: Howard, Seiwert.

The bill passed, as amended.

**Sub HB 2196**, AN ACT concerning employment security; creating the unemployment compensation modernization and improvement council; providing for an audit to be conducted by the council; providing for development of a new unemployment insurance information technology system; claimant tax information; website publication of trust fund data; maximum benefit period; charging of employer accounts for benefits paid; employment security board of review and emergency expansion thereof; employer contribution rate determination and schedules; crediting employer accounts for fraudulent or erroneous payments; transferring moneys from the state general fund to the unemployment insurance trust fund for improper benefit payments; services performed by petroleum landmen; lessor employment unit employee leasing restrictions; shared work compensation program; establishing the my reemployment plan providing job search and job matching assistance to claimants and employers; providing for workforce training program availability for claimants; making and concerning appropriations for fiscal years 2021 through 2028; amending K.S.A. 44-758 and K.S.A. 2020 Supp. 44-703, 44-704, 44-705, 44-709, 44-710, 44-710a, 44-710b and 44-757 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 87; Nays 36; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Coleman, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helgerson, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Curtis, Day, Featherston, Finney, Gartner, Haswood, Henderson, Highberger, Hoye, Kuether, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The substitute bill passed, as amended.

#### EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **Substitute for House Bill 2196**. For years, Republicans have shown no interest in helping working and unemployed Kansans. They have stripped funding from the Department of Labor, refused to work on legislation that would benefit workers and the unemployed, and continue to shift the blame for their mistakes. This bill cuts unemployment benefits and only complicates the process. The modernization piece is already in the Governor's recommendations. This bill will become a roadblock for Kansans that desperately need help. — TOM SAWYER, RUI XU, ANNIE KUETHER, ELIZABETH BISHOP, LINDSAY VAUGHN, CINDY NEIGHBOR, BARBARA W. BALLARD, VALDENIA WINN, SYDNEY CARLIN, JOHN ALCALA, STEPHANIE BYERS, MARI-LYNN POSKIN, JO ELLA HOYE, LINDA FEATHERSTON, JENNIFER DAY, JIM GARTNER

**HB 2218**, AN ACT concerning the Kansas state employees health care commission; changing membership thereon to include a current and retired state employee enrolled in the state healthcare benefits program group health insurance medical plan; amending K.S.A. 75-6502 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens,

Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed.

**HB 2224**, AN ACT concerning public health; relating to infectious disease testing; crimes in which bodily fluids may have been transmitted from one person to another; expanding the definition of infectious disease; amending K.S.A. 65-6009 and K.S.A. 2020 Supp. 65-6001 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 6; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Fairchild, Helmer, Houser, Jacobs, Lee-Hahn, Rhiley.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed, as amended.

**HB 2227**, AN ACT concerning courts; relating to orders issued by the chief justice to secure health and safety during a disaster emergency; suspension of deadlines or time limitations; authorizing suspension during a state of local disaster emergency; suspension of verification requirements under the revised Kansas code for the care of children; use of electronic audio-visual communication to expeditiously resolve pending cases; amending K.S.A. 2020 Supp. 20-172 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 113; Nays 10; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson,

Henderson, Highberger, Highland, Hoffman, Hoheisel, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burris, Esau, Fairchild, Garber, Helmer, Houser, Jacobs, Lee-Hahn, Murphy, Rhiley.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed, as amended.

#### EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **HB 2227**. While I support the aspect of this bill which allows for cases to be heard virtually, I believe this bill gives the Chief Justice too much power. At the very least, I think there should be some sort of independent board put in place to review the Chief Justice's decisions. There needs to be checks and balances on the Chief Justice's power. — BRETT FAIRCHILD

**HB 2245**, AN ACT concerning transportation; relating to the division of vehicles; authorizing the division of vehicles to collect emergency contact information; allowing individuals to list emergency contact information on applications for drivers' licenses, instruction permits and non-driver's identification cards; permitting law enforcement agencies to use emergency contact information in emergency situations, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed.

**HB 2295**, AN ACT concerning drivers' licenses; relating to commercial drivers' licenses; exempting municipal motor grader vehicle operators from the Kansas uniform commercial drivers' license act requirements; amending K.S.A. 2020 Supp. 8-2,127 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Ellis.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed.

**HB 2379**, AN ACT concerning transportation; relating to peer-to-peer vehicle sharing; establishing insurance requirements; liability; recordkeeping requirements; consumer protection provisions; enacting the peer-to-peer vehicle sharing program act; amending K.S.A. 2020 Supp. 50-656 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.  
Absent or not voting: Howard, Seiwert.  
The bill passed, as amended.

**HB 2416**, AN ACT concerning governmental response to certain emergencies; relating to the Kansas emergency management act; modifying the procedure for the declaration and extension of a state of disaster emergency; extending the time of an initial state of disaster emergency; limiting powers granted to the governor during a state of disaster emergency; authorizing the legislative coordinating council and the legislature to take certain actions related to a state of disaster emergency; prohibiting the governor or the state board of education from closing private schools during a state of disaster emergency; adding 911 dispatch center personnel to the definition of emergency responder; amending K.S.A. 46-1202 and 75-3711 and K.S.A. 2019 Supp. 48-925, as amended by section 4 of 2021 Senate Bill No. 14, and K.S.A. 2020 Supp. 48-924, as amended by section 2 of 2021 Senate Bill No. 14, 48-925b and 48-949 and repealing the existing sections; also repealing K.S.A. 2019 Supp. 48-925, as amended by section 5 of 2021 Senate Bill No. 14, was considered on final action.

On roll call, the vote was: Yeas 81; Nays 40; Present but not voting: 2; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Schreiber, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Samsel, Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: Houser, Lee-Hahn.  
Absent or not voting: Howard, Seiwert.  
The bill passed, as amended.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote “Yes” on **HB 2416**. Violating Section 7 of the Kansas Constitution’s Bill of Rights, and targeting Christendom, the Governor ordered churches closed and sought to regulate worship. Yet Section 7 has no pandemic or other emergency exception.

Also, what’s the good of being “protected” from an emergency if your livelihood is arbitrarily deemed “nonessential” and, consequently, you cannot pay bills, you face losing your vehicle or your home (or both), you can barely feed your family, and you’re unemployed (or underemployed) and you never receive your unemployment benefits?

**HB 2416** takes steps toward protecting Kansans from unconstitutional, overbroad, overbearing, and unnecessary gubernatorial emergency action. – JESSE BURRIS, CHARLES E. SMITH, SUSAN OLIVER ESTES, LEO DELPERDANG, TIM JOHNSON, AND PATRICK A. PENN

MR. SPEAKER: I vote “Yes” on **HB 2416**. Being cautiously optimistic about the outcome of the new KEMA restrictions, I do recognize the pertinent work that must be fashioned in the conference committee to further ensure the provisions and protections that confirm the *liberties of the people*. I do expect that the government that swore to support the *US Constitution* and *Kansas Bill of Rights* would be mindful that *Constitutional Liberties* must not be infringed upon ever again in the State of Kansas. “You ought to be extremely cautious, watchful, jealous of your liberty; for instead of securing your rights, you may lose them forever.” Patrick Henry. – TREVOR JACOBS

MR. SPEAKER: I vote “No” on **HB 2416** For the first time in Kansas, this bill would manage serious-but-non-emergency situations through an emergency management statute. This is a fundamental, perilous, and—as presently written—*permanent* mistake.

Experience is the surest standard to test this breathtaking shift of power from the people’s duly elected Legislature to the Governor and 7-member Legislative Coordinating Council.

For many trying months in 2020, this entrustment of power hindered the life, liberty, and pursuit of happiness of Kansans. Although undeniably well intended, it silenced 121 State Representatives and 37 State Senators. 96% of the Legislature could not govern.

With utmost care, I respectfully resist. – MARK SAMSEL

MR. SPEAKER: I vote no on **House Bill 2416**. The Legislature should be focused on helping Kansans that are suffering from the pandemic, but instead, this bill focuses on stripping the Governor’s power to effectively lead Kansans through a pandemic and other natural disasters. The Kansas Supreme Court has held that the Governor has executive authority forming the basis of the governor’s ability to deal with a statewide crisis. It does not rely on other legislative action to empower the governor with any executive authority. Although I believe in checks and balances of government, I strongly question whether or not this is legislative overreach. – JOHN CARMICHAEL, MIKE AMYX, JIM GARTNER, ANNIE KUETHER, RUI XU, LINDSAY VAUGHN, BRANDON WOODARD, CINDY NEIGHBOR, SUSAN RUIZ, TOM BURROUGHS, JENNIFER DAY, LINDA FEATHERSTON, CHRISTINA HASWOOD, PAM CURTIS, VALDENIA WINN, JOHN ALCALA, BARBARA W. BALLARD, SYDNEY CARLIN, STEPHANIE BYERS, VIRGIL WEIGEL, MARI-LYNN POSKIN, JO ELLA HOYE, TOM SAWYER, STEPHANIE CLAYTON

MR. SPEAKER, I vote no on **House Bill 2416**. The Legislature should be focused on helping Kansans that are suffering from the pandemic, but instead, Republicans have shown again that they are interested in just political gains. This bill would strip the Governor’s power to effectively lead Kansans through a pandemic and other natural disasters. Republican’s attempts to diminish the Governor’s power further solidifies the danger of them giving themselves unchecked, authoritative power. This is nothing less than a power grab. If it were a Republican on the second floor, I am certain that we would not be voting on a bill like this today. – ELIZABETH BISHOP, GAIL FINNEY, PONKA-WE VICTORS

MR. SPEAKER: I support **HB 2416** as a thoughtful freedom loving reform of the Kansas Emergency Management Act. The experience of Americans across this land in 2020 is that governmental overreach in times of a declared emergency is a real threat to our livelihoods and our liberties. It was only because we had in place the limited checks and balances of HB 2416 that Kansas citizens were protected from the governmental outrages seen in California, New York, Michigan and other states. Eternal vigilance remains the cost of protecting our rights as citizens. – PAUL WAGGONER

MR. SPEAKER: I vote “present” on **HB 2416** because I believe that although we must curb government overreach during COVID, we have much work to do regarding upholding the liberties of Kansans. Citizens should not have to sue their government incurring costs or stress to simply have rights protected. I hope the conference committee considers adding language allowing freedom to nursing home residents to see their families during crisis and never have their right to life, liberty and the pursuit of happiness INFRINGED upon regardless of emergency. I look forward to voting “yes” on this bill once the committee provides legislation with teeth to protect LIBERTY. – TATUM LEE-HAHN

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Rahjes in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Rahjes, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2231, HB 2106, HB 2143, HB 2315, HB 2116** be passed.

On motion of Rep. Gartner, **SB 47** be amended on page 1, in line 27, by striking "On and after January 1, 2022,";

On page 4, in line 17, after "after" by inserting "January 1, 2022, and" and the bill be passed as amended.

**SB 13** be passed over and retain a place on the calendar.

Committee report to **HB 2239** be adopted; and the bill be passed as amended.

Committee report to **SB 13** be adopted.

Also, on motion of Rep. Adam Smith, **SB 13** be amended as amended by House Committee, on page 2, in line 11, by striking all after the period; by striking all in lines 12 through 20; in line 21, by striking "agreed.";

On page 3, in line 35, by striking all after "(d)"; by striking all in lines 36 through 43;

On page 4, by striking all in line 1; in line 2, by striking "(e)"; in line 9, by striking all after the stricken material; by striking all in lines 10 through 14; in line 15, by striking all before the period and inserting "any political subdivision of the state that levies an ad valorem tax on property"; following line 24, by inserting:

"(f) In the event that a county clerk incurred costs of printing and postage that were not reimbursed pursuant to section 7, and amendments thereto, such county clerk may seek reimbursement from all taxing subdivisions required to send the notice. Such costs shall be shared proportionately by all taxing subdivisions that were included on the same notice based on the total property tax levied by each taxing subdivision. Payment

of such costs shall be due to the county clerk by December 31.";

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

On page 9, following line 24, by inserting:

"New Sec. 7. (a) For calendar years 2022 and 2023, if a county clerk has printing or postage costs pursuant to section 1, and amendments thereto, the county clerk shall notify and provide documentation of such costs to the secretary of revenue. The secretary of revenue shall certify the amount of moneys attributable to such costs and shall transmit a copy of such certification to the director of accounts and reports. Upon such receipt of such certification, the director of accounts and reports shall transfer an amount of moneys equal to such certified amount from the state general fund to the taxpayer notification costs fund of the department of revenue. The secretary of revenue shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

(b) There is hereby established in the state treasury the taxpayer notification costs fund that shall be administered by the secretary of revenue. All expenditures from the taxpayer notification costs fund shall be for the purpose of paying county printing and postage costs pursuant to section 1, and amendments thereto. All expenditures from such fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of revenue or the secretary's designee.";

And by renumbering sections accordingly;

On page 1, in the title, in line 10, after the semicolon by inserting "providing for payment of county printing and postage notification costs; establishing the taxpayer notification costs fund;"

Also, on motion of Jennings to amend **SB 13**, Rep. Blake Carpenter requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and the bill be passed as amended.

Committee report to **HB 2405** be adopted.

Also, on motion of Rep. S. Johnson, **HB 2405** be amended as amended by House Committee, on page 2, in line 9, by striking "fiance" and inserting "finance"

Also, on motion of Rep. Proctor to amend **HB 2405**, Rep. Delperdang requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and the bill be passed as amended.

On motion of Rep. Houser, **SB 21** be amended on page 16, following line 35, by inserting:

"Sec. 3. K.S.A. 2020 Supp. 12-192 is hereby amended to read as follows: 12-192. (a) Except as otherwise provided by subsection (b), (d) or (h), all revenue received by the director of taxation from a countywide retailers' sales tax shall be apportioned among the county and each city located in such county in the following manner:

(1) ~~One-half~~  $\frac{1}{2}$  of all revenue received by the director of taxation shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year; and

(2) ~~one-half~~  $\frac{1}{2}$  of all revenue received by the director of taxation from such countywide retailers' sales tax shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county, except that no persons residing within the Fort Riley military reservation shall be included in the determination of the population of any city located within Riley county.

All revenue apportioned to a county shall be paid to its county treasurer and shall be credited to the general fund of the county.

(b) (1) In lieu of the apportionment formula provided in subsection (a), all revenue received by the director of taxation from a countywide retailers' sales tax imposed within Johnson county at the rate of 0.75%, 1% or 1.25% after July 1, 2007, shall be apportioned among the county and each city located in such county in the following manner:

(A) The revenue received from the first 0.5% rate of tax shall be apportioned in the manner prescribed by subsection (a); and

(B) the revenue received from the rate of tax exceeding 0.5% shall be apportioned as follows:

(i) ~~One-fourth~~  $\frac{1}{4}$  shall be apportioned among the county and each city located in such county in the proportion that the total tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year;

(ii) ~~one-fourth~~  $\frac{1}{4}$  shall be apportioned among the county and each city located in such county, first to the county that portion of the revenue equal to the proportion that the population of the county residing in the unincorporated area of the county bears to the total population of the county, and second to the cities in the proportion that the population of each city bears to the total population of the county; and

(iii) ~~one-half~~  $\frac{1}{2}$  shall be retained by the county for its sole use and benefit.

(2) In lieu of the apportionment formula provided in subsection (a), all money received by the director of taxation from a countywide sales tax imposed within Montgomery county pursuant to the election held on November 8, 1994, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged. All revenue apportioned and paid from the imposition of such tax to the treasurer of any city prior to the effective date of this act shall be remitted to the county treasurer and expended only for the purpose for which the revenue received from the tax was pledged.

(3) In lieu of the apportionment formula provided in subsection (a), on and after the effective date of this act, all moneys received by the director of taxation from a countywide retailers' sales tax imposed within Phillips county pursuant to the election held on September 20, 2005, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(c) (1) Except as otherwise provided by paragraph (2) of this subsection, for purposes of subsections (a) and (b), the term "total tangible property tax levies" means the aggregate dollar amount of tax revenue derived from ad valorem tax levies applicable to all tangible property located within each such city or county. The ad

valorem property tax levy of any county or city district entity or subdivision shall be included within this term if the levy of any such district entity or subdivision is applicable to all tangible property located within each such city or county.

(2) For the purposes of subsections (a) and (b), any ad valorem property tax levied on property located in a city in Johnson county for the purpose of providing fire protection service in such city shall be included within the term "total tangible property tax levies" for such city regardless of its applicability to all tangible property located within each such city. If the tax is levied by a district which extends across city boundaries, for purposes of this computation, the amount of such levy shall be apportioned among each city in which such district extends in the proportion that such tax levied within each city bears to the total tax levied by the district.

(d) (1) All revenue received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(2), (3)(C), (3)(F), (3)(G), ~~(3)(I)~~, (6), (7), (8), (9), (12), (14), (15), (16), (17), (18), (19), (20), (22), (23), (25), (27), (28), (29), (30), (31) and (32), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(2) Except as otherwise provided in K.S.A. 12-187(b)(5), and amendments thereto, all revenues received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(5), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged.

(3) All revenue received from a countywide retailers' sales tax imposed pursuant to K.S.A. 12-187(b)(26), and amendments thereto, shall be remitted to and shall be retained by the county and expended only for the purpose for which the revenue received from the tax was pledged unless the question of imposing a countywide retailers' sales tax authorized by K.S.A. 12-187(b)(26), and amendments thereto, includes the apportionment of revenue prescribed in subsection (a).

(e) All revenue apportioned to the several cities of the county shall be paid to the respective treasurers thereof and deposited in the general fund of the city. Whenever the territory of any city is located in two or more counties and any one or more of such counties do not levy a countywide retailers' sales tax, or whenever such counties do not levy countywide retailers' sales taxes at a uniform rate, the revenue received by such city from the proceeds of the countywide retailers' sales tax, as an alternative to depositing the same in the general fund, may be used for the purpose of reducing the tax levies of such city upon the taxable tangible property located within the county levying such countywide retailers' sales tax.

(f) Prior to March 1 of each year, the secretary of revenue shall advise each county treasurer of the revenue collected in such county from the state retailers' sales tax for the preceding calendar year.

(g) Prior to December 31 of each year, the clerk of every county imposing a countywide retailers' sales tax shall provide such information deemed necessary by the secretary of revenue to apportion and remit revenue to the counties and cities pursuant to this section.

(h) The provisions of subsections (a) and (b) for the apportionment of countywide retailers' sales tax shall not apply to any revenues received pursuant to a county or countywide retailers' sales tax levied or collected under K.S.A. 74-8929, and

amendments thereto. All such revenue collected under K.S.A. 74-8929, and amendments thereto, shall be deposited into the redevelopment bond fund established by K.S.A. 74-8927, and amendments thereto, for the period of time set forth in K.S.A. 74-8927, and amendments thereto.";

Also on page 16, in line 36, by striking "and" and inserting a comma; also in line 36, after "12-189" by inserting "and 12-192";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking the first "and" and inserting a comma; also in line 3, after "12-189" by inserting "and 12-192" and the bill be passed as amended.

**HB 2105** be passed over and retain a place on the calendar.

### INTRODUCTION OF ORIGINAL MOTION

On emergency motion of Rep. Hawkins, pursuant to House Rule 2311, **HB 2106**, **HB 2116**, **HB 2143**, **HB 2231**, **HB 2239**, **HB 2315**, **HB 2405**, **SB 13**, **SB 21** and **SB 47** were advanced to Final Action on Bills and Concurrent Resolutions.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**SB 47**, AN ACT concerning income taxation; enacting the Kansas taxpayer protection act; relating to paid tax return preparers; requiring a signature and tax identification number on returns and claims; authorizing actions by the secretary of revenue to enjoin certain conduct, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 8; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Arnberger, Awerkamp, Burris, Garber, Helmer, Jacobs, Poetter, Rhiley.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed, as amended.

**SB 13**, AN ACT concerning property taxation; relating to tax levy rates, establishing notice and public hearing requirements prior to approval by a governing body to exceed its revenue neutral rate and discontinuing the city and county tax lid; prohibiting valuation increase of real property solely as the result of normal repair, replacement or

maintenance; establishment of a payment plan for the payment of delinquent or nondelinquent taxes; requiring the director of accounts and reports to include revenue neutral rate on regular budget form; eliminating certain requirements for budget approval for select taxing subdivisions; providing for payment of county printing and postage notification costs; establishing the taxpayer notification costs fund; amending K.S.A. 79-1460, 79-1801, 79-2024, 79-2925c and 79-2929 and repealing the existing sections; also repealing K.S.A. 79-2925b, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 3; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Averkamp, Garber, Rhiley.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed, as amended.

**HB 2239**, AN ACT concerning income taxation; relating to corporations; providing for an extension of the net operating loss carryforward period; amending K.S.A. 79-32,143 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed, as amended.

**HB 2231**, AN ACT concerning crimes, punishment and criminal procedure; relating to conducting a pyramid promotional scheme; exemptions; amending K.S.A. 2020 Supp. 21-5838 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 78; Nays 45; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Baker, Ballard, Barker, Bergkamp, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, Clark, Concannon, Corbet, Croft, Curtis, Dodson, M., Donohoe, Eplee, Estes, Fairchild, Finch, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Henderson, Hoheisel, Jennings, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Minnix, Moser, Neelly, Neighbor, Orr, Owens, F. Patton, Penn, Poetter, Probst, Proctor, Proehl, Ralph, Resman, Rhiley, Ruiz, L., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Stogsdill, Tarwater, Thompson, Toplikar, Turner, Victors, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore.

Nays: Arnberger, Bergquist, Bishop, Blex, Burris, B. Carpenter, W. Carpenter, Clayton, Coleman, Collins, Day, Delperdang, Ellis, Esau, Featherston, Finney, Garber, Helmer, Highberger, Highland, Hoffman, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, S. Johnson, Mason, Miller, Murphy, Newland, Ohaebosim, Ousley, Parker, Poskin, Rahjes, Ruiz, S., Smith, E., Sutton, Thomas, Vaughn, Waggoner, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed.

**HB 2106**, AN ACT concerning income taxation; relating to corporate tax returns; extending the dates when tax returns are required to be filed; amending K.S.A. 79-3221 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.  
 Absent or not voting: Howard, Seiwert.  
 The bill passed.

**HB 2405**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; authorizing the issuance of revenue bonds to finance the unfunded actuarial pension liability of KPERS; providing requirements, limitations and procedures for the Kansas development finance authority, department of administration and the state finance council pertaining to such bonds, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 6; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Fairchild, Garber, Helmer, Jacobs, Lee-Hahn, Rhiley.  
 Present but not voting: None.  
 Absent or not voting: Howard, Seiwert.  
 The bill passed, as amended.

**HB 2143**, AN ACT concerning sales taxation; relating to exemptions on certain cash rebates on sales or leases of new motor vehicles; making exemption permanent; amending K.S.A. 79-3602 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 4; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore,

Woodard, Xu.

Nays: Baker, S. Johnson, Minnix, Waymaster.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed.

**SB 21**, AN ACT concerning sales and compensating use tax; relating to countywide retailers' sales tax; approving election by Cherokee county; amending K.S.A. 2020 Supp. 12-187, 12-189 and 12-192 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 4; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burris, Carmichael, Helmer, Highberger.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed, as amended.

**HB 2315**, AN ACT concerning taxation; relating to income, premiums and privilege tax; providing a credit for contributions to technical colleges; amending K.S.A. 79-32,261 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 4; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger,

Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, Carmichael, Helgerson, S. Johnson.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed.

**HB 2116**, AN ACT concerning children and minors; relating to child care assistance eligibility and requirements; exempting certain adults from the 20-hour-per-week work requirement; amending K.S.A. 2020 Supp. 39-709 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Seiwert.

The bill passed.

## REPORT OF STANDING COMMITTEE

Your Committee on **Calendar and Printing** recommends on requests for resolutions and certificates that

**Request No. 19**, by Representative Ponka-We Victors, honoring Blanca Soto as the first Latina to be part of the Dodge City Commission.

**Request No. 20**, by Representative Ponka-We Victors, honoring Jennifer McDonald as the first African American woman to open an Urban Winery in Kansas.

**Request No. 21**, by Representative Aaron Coleman, honoring Re'Nae L. Pherigo for her inspiration, planning and sacrifices for the KDOL Hunger Strike.

**Request No. 22**, by Representative Louis Ruiz, honoring Lieutenant Colonel Larissa Ruiz on his 20 years of devotion and honorable service to the United States of America.

**Request No. 23**, by Representative Louis Ruiz, honoring the memory of Anthony (Tony) Villegas, Human Relations Commissioner under Governor Kathleen Sebelius and Sam Brownback.

**Request No. 24**, by Representative Blaine Finch, honoring the National Automatic Merchandising Association and recognizing March 4, 2021 as National Vending Day.

**Request No. 25**, by Representatives Sydney Carlin and Jim Gartner, congratulating Noah Lindquist for being named Kansan of the Year 2020, and his contributions for his successful lyrics “Wear a Mask”.

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hawkins, the committee report was adopted.

#### **MESSAGE FROM THE SENATE**

Announcing adoption of **SCR 1610**.

#### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate Concurrent Resolution was thereupon introduced and read by title:

**SCR 1610**.

#### **INTRODUCTION OF ORIGINAL MOTION**

On emergency motion of Rep. Hawkins, **SCR 1610** was adopted.

#### **REPORT ON ENGROSSED BILLS**

**HB 2183** reported correctly engrossed March 3, 2021.

**HB 2045, Sub HB 2066, HB 2208, HB 2209, HB 2228, HB 2279, HB 2280, HB 2332, HB 2377** reported correctly engrossed March 4, 2021.

On motion of Rep. Hawkins the House adjourned pro forma until 8:30 a.m. on Friday, March 5, 2021.

# Journal of the House

THIRTY-NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, March 5, 2021, 8:30 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Finch in the chair.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Taxation: **SB 71, SB 72, SB 119, SB 147.**

## CHANGE OF REFERENCE

Speaker pro tem Finch announced the withdrawal of **HB 2382** from Committee on Social Services Budget and referral to Committee on Appropriations.

Speaker pro tem Finch announced the withdrawal of **HB 2176** from Committee on Local Government and referral to Committee on Appropriations.

Speaker pro tem Finch announced the withdrawal of **HB 2366** from Committee on Judiciary and referral to Committee on Appropriations.

Speaker pro tem Finch announced the withdrawal of **HB 2380** from Committee on Insurance and Pensions and referral to Committee on Appropriations.

Speaker pro tem Finch announced the withdrawal of **HB 2206** from Committee on Health and Human Services and referral to Committee on Appropriations.

Speaker pro tem Finch announced the withdrawal of **HB 2236** from Committee on Financial Institutions and Rural Development and referral to Committee on Appropriations.

Speaker pro tem Finch announced the withdrawal of **HB 2301** from Committee on Education and referral to Committee on Appropriations.

Speaker pro tem Finch announced the withdrawal of **HB 2287, HB 2219** from Committee on Commerce, Labor and Economic Development and referral to Committee on Appropriations.

Speaker pro tem Finch announced the withdrawal of **HB 2004** from Committee on Children and Seniors and referral to Committee on Appropriations.

Speaker pro tem Finch announced the withdrawal of **HB 2067, HB 2068, Sub HB 2119, HB 2154, HB 2160, HB 2281, HB 2329, HB 2339, HB 2346, HB 2363, HB 2373, HB 2150, HB 2389** from Calendar and referral to Committee on Appropriations.

**REPORT ON ENROLLED BILLS**

**Sub HB 2049** reported correctly enrolled, properly signed and presented to the Governor on March 5, 2021.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Wednesday, March 10, 2021.

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In accordance with House Rule 1507, the following bills were stricken from the Calendar: **HB 2011, HB 2020, HB 2027, HB 2028, HB 2051, HB 2053, HB 2083, HB 2098, HB 2107, HB 2118, HB 2127, HB 2144, HB 2146, HB 2149, HB 2152, HB 2163, HB 2164, HB 2193, HB 2213, HB 2229, HB 2261, HB 2263, HB 2296, HB 2302, HB 2336, HB 2345, HB 2349, HB 2355, HB 2360, HB 2365, HB 2369, HB 2371, HB 2381.**

# Journal of the House

FORTIETH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, March 10, 2021, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Ryckman in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2430**, AN ACT concerning cannabis; creating the Kansas cannabis legalization act; providing for the licensure and regulation of cannabis, including the cultivation, manufacturing, transportation, possession and sale of cannabis; providing certain fines and penalties for violations of the act; providing exemptions from crimes involving controlled substances; imposing a tax on the sale of cannabis, disposition of the revenues collected thereon; creating the cannabis business regulation fund; amending K.S.A. 79-5201 and 79-5210 and K.S.A. 2020 Supp. 21-5703, 21-5705, 21-5706, 21-5707, 21-5709 and 21-5710 and repealing the existing sections, by Committee on Federal and State Affairs.

## CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2004** from Committee on Appropriations and rereferral to Committee on Children and Seniors.

Speaker Ryckman announced the withdrawal of **HB 2067**, **HB 2068**, **HB 2119**, **HB 2160**, **HB 2339**, **HB 2373**, **HB 2389**, from Committee on Appropriations and rereferral to Committee of the Whole.

Speaker Ryckman announced the withdrawal of **HB 2154**, **HB 2366** from Committee on Appropriations and rereferral to Committee on Judiciary.

Speaker Ryckman announced the withdrawal of **HB 2174** from Committee on Appropriations and referral to Health and Human Services.

Speaker Ryckman announced the withdrawal of **HB 2176** from Committee on Appropriations and rereferral to Committee of on Local Government.

Speaker Ryckman announced the withdrawal of **HB 2219**, **HB 2287** from Committee on Appropriations and rereferral to Committee on Commerce, Labor and Economic development.

Speaker Ryckman announced the withdrawal of **HB 2236** from Committee on Appropriations and rereferral to Committee Financial Institutions and Rural Development.

Speaker Ryckman announced the withdrawal of **HB 2301** from Committee on Appropriations and rereferral to Committee on Education.

Speaker Ryckman announced the withdrawal of **HB 2329** from Committee on Appropriations and rereferral to Committee on Energy, Utilities and Telecommunications.

Speaker Ryckman announced the withdrawal of **HB 2150**, **HB 2346** from Committee on Appropriations and referral to Committee on Judiciary.

Speaker Ryckman announced the withdrawal of **HB 2363** from Committee on Appropriations and referral to Committee on Transportation and Public Safety Budget.

Speaker Ryckman announced the withdrawal of **HB 2380** from Committee on Appropriations and rereferral to Committee on Insurance and Pensions.

Speaker Ryckman announced the withdrawal of **HB 2382** from Committee on Appropriations and rereferral to Committee on Social Services Budget.

#### MESSAGES FROM THE SENATE

Announcing passage of **SB 63, SB 78, SB 90, SB 101, SB 106, SB 116, SB 143.**

Announcing passage of **Sub SB 84, SB 98, SB 124, SB 127, SB 167, SB 178, SB 185, Sub SB 238, SB 283.**

#### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

**SB 63, SB 78, Sub SB 84, SB 90, SB 98, SB 101, SB 106, SB 116, SB 124, SB 127, SB 143, SB 167, SB 178, SB 185, Sub SB 238, SB 283.**

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

#### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

HOUSE CONCURRENT RESOLUTION No. **HCR 5015**—  
By Representative Blake Carpenter

**HCR 5015**—A CONCURRENT RESOLUTION urging the United States Congress to reject legislation to federalize elections in the United States of America and oppose the For the People Act of 2021.

WHEREAS, The For the People Act of 2021, contained in H.R.1 and S.1, is a legislative overreach by the federal government; and

WHEREAS, The For the People Act of 2021 impedes upon states' rights by federalizing election administration; and

WHEREAS, The For the People Act of 2021 imposes unfunded, burdensome and unconstitutional mandates on states; and

WHEREAS, The For the People Act of 2021 intrudes upon our First Amendment rights; and

WHEREAS, The For the People Act of 2021 prevents necessary action by states regarding registration or voting that impedes free speech and lawful election activities; and

WHEREAS, The For the People Act of 2021 imposes draconian ethics rules that unfairly restrict political activity; and

WHEREAS, The For the People Act of 2021 expands government regulation and censorship of campaigns, political speech and activity, including online and policy-related speech for candidates, citizens, civic groups, unions, corporations and nonprofit organizations; and

WHEREAS, The For the People Act of 2021 reduces public accountability of elected officials; and

WHEREAS, The For the People Act of 2021 blatantly undermines the work of election officials in providing safe and accessible voting options to voters; and

WHEREAS, The For the People Act of 2021 conflicts with state statutes governing election administration; and

WHEREAS, The For the People Act of 2021 forces states to implement automatic voter registration, same-day registration and online voter registration; and

WHEREAS, The For the People Act of 2021 dilutes the bi-partisan voter identification statutes, which protect Kansas elections; and

WHEREAS, The For the People Act of 2021 prohibits election officials from verifying the eligibility of qualified voters; and

WHEREAS, The For the People Act of 2021 sacrifices the security and integrity of the Kansas elections process; and

WHEREAS, The For the People Act of 2021 makes states vulnerable to large-scale fraud by foreign and domestic bad actors by allowing online voter registration that is not tied to an existing government record; and

WHEREAS, The For the People Act of 2021 forces state legislatures to yield their state constitutional reapportionment duties to independent, unelected commissions; and

WHEREAS, The For the People Act of 2021 makes it a violation of federal law for states to engage in traditional redistricting practices: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That each state legislature should have the freedom and flexibility to determine practices that best meet the needs of their respective states, and the authority to legislate changes to the election process should be left to the states; and

*Be it further resolved:* That the Secretary of State shall send enrolled copies of this resolution to the President of the United States, Majority Leader of the United States Senate, the Minority Leader of the United States Senate, the Speaker of the United States House of Representatives, the Minority Leader of the United States House of Representatives and each member of the United States Senate and United States House of Representatives serving Kansas.

## COMMITTEE ASSIGNMENT CHANGES

Speaker Ryckman announced the appointment of Rep. Vaughn to replace Rep. Bishop on Committee on Health and Human Services on March, 10, 2021.

**REPORT ON ENGROSSED BILLS**

**HB 2039, HB 2058, HB 2088, HB 2126, HB 2224, HB 2227, HB 2239, HB 2379, HB 2405, HB 2416** reported correctly engrossed March 5, 2021.

**Sub HB 2196** reported correctly engrossed March 9, 2021.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Thursday, March 11, 2021.

# Journal of the House

FORTY-FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, March 11, 2021, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker Ryckman in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

**HB 2431**, AN ACT concerning rural opportunity zones; changing the definition of rural opportunity zone; expanding eligibility for program participants; adding down payment assistance as a benefit under such program; providing for a two-track program and establishing a new rural community building program option; amending K.S.A. 74-50,222, 74-50,223 and 79-32,267 and repealing the existing sections, by Committee on Taxation.

**HB 2432**, AN ACT concerning sales and compensating use tax; relating to food and food ingredients; implementing a formulaic adjustment to the rate of tax; amending K.S.A. 79-3602, 79-3620 and 79-3710 and K.S.A. 2020 Supp. 79-3603 and 79-3703 and repealing the existing sections, by Committee on Taxation.

**HB 2433**, AN ACT concerning consumer protection; relating to online third-party marketplaces and the sale of stolen merchandise; requiring such marketplaces to verify and authenticate the identity of third parties who sell products on their platforms; providing for enforcement by the attorney general, by Committee on Federal and State Affairs.

HOUSE CONCURRENT RESOLUTION No. **HCR 5016**—  
By Committee on Taxation

A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas, relating to classification and taxation of all-terrain vehicles.

*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: Section 1 of article 11 of the constitution of the state of Kansas is hereby amended to read as follows:

"§ 1. **System of taxation; classification; exemption.** (a) The provisions of this subsection shall govern the assessment and taxation of property on and after January

1, ~~2013~~ 2023, and each year thereafter. Except as otherwise hereinafter specifically provided, the legislature shall provide for a uniform and equal basis of valuation and rate of taxation of all property subject to taxation. The legislature may provide for the classification and the taxation uniformly as to class of *all-terrain vehicles*, recreational vehicles and watercraft, as defined by the legislature, or may exempt such class from property taxation and impose taxes upon another basis in lieu thereof. The provisions of this subsection shall not be applicable to the taxation of motor vehicles, except as otherwise hereinafter specifically provided, mineral products, money, mortgages, notes and other evidence of debt and grain. Property shall be classified into the following classes for the purpose of assessment and assessed at the percentage of value prescribed therefor:

Class 1 shall consist of real property. Real property shall be further classified into seven subclasses. Such property shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:

- (1) Real property used for residential purposes including multi-family residential real property and real property necessary to accommodate a residential community of mobile or manufactured homes including the real property upon which such homes are located..... 11½%
- (2) Land devoted to agricultural use which shall be valued upon the basis of its agricultural income or agricultural productivity pursuant to section 12 of article 11 of the constitution..... 30%
- (3) Vacant lots..... 12%
- (4) Real property which is owned and operated by a not-for-profit organization not subject to federal income taxation pursuant to section 501 of the federal internal revenue code, and which is included in this subclass by law..... 12%
- (5) Public utility real property, except railroad real property which shall be assessed at the average rate that all other commercial and industrial property is assessed.... 33%
- (6) Real property used for commercial and industrial purposes and buildings and other improvements located upon land devoted to agricultural use..... 25%
- (7) All other urban and rural real property not otherwise specifically subclassified. . 30%

Class 2 shall consist of tangible personal property. Such tangible personal property shall be further classified into six subclasses, shall be defined by law for the purpose of subclassification and assessed uniformly as to subclass at the following percentages of value:

- (1) Mobile homes used for residential purposes..... 11½%
- (2) Mineral leasehold interests except oil leasehold interests the average daily production from which is five barrels or less, and natural gas leasehold interests the average daily production from which is 100 mcf or less, which shall be assessed at 25% 30%
- (3) Public utility tangible personal property including inventories thereof, except railroad personal property including inventories thereof, which shall be assessed at the average rate all other commercial and industrial property is assessed..... 33%
- (4) All categories of motor vehicles not defined and specifically valued and taxed pursuant to law enacted prior to January 1, 1985..... 30%
- (5) Commercial and industrial machinery and equipment which, if its economic life

is seven years or more, shall be valued at its retail cost when new less seven-year straight-line depreciation, or which, if its economic life is less than seven years, shall be valued at its retail cost when new less straight-line depreciation over its economic life, except that, the value so obtained for such property, notwithstanding its economic life and as long as such property is being used, shall not be less than 20% of the retail cost when new of such property..... 25%

(6) All other tangible personal property not otherwise specifically classified... 30%

(b) All property used exclusively for state, county, municipal, literary, educational, scientific, religious, benevolent and charitable purposes, farm machinery and equipment, merchants' and manufacturers' inventories, other than public utility inventories included in subclass (3) of class 2, livestock, and all household goods and personal effects not used for the production of income, shall be exempted from property taxation."

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

"*Explanatory statement.* This amendment would allow the legislature to classify and tax all-terrain vehicles upon a basis different from other property.

"A vote for this proposition would permit the legislature to provide for separate classification and taxation of all-terrain vehicles or to exempt such property from property taxation and impose taxes upon a different basis in lieu thereof.

"A vote against this proposition would continue the taxation of all-terrain vehicles in the same manner as all other property."

Sec. 3. This resolution, if approved by 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, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2022, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills and concurrent resolution were referred to committees as indicated:

- Agriculture: **SB 143.**
- Commerce, Labor and Economic Development: **SB 90, SB 124.**
- Education: **SB 185.**
- Elections: **HCR 5015.**
- Federal and State Affairs: **HB 2430, Sub SB 84.**
- Financial Institutions and Rural Development: **SB 178.**
- Health and Human Services: **Sub SB 238.**
- Insurance and Pensions: **SB 78.**
- Judiciary: **SB 106, SB 283.**
- K-12 Education Budget: **SB 63.**
- Taxation: **SB 98.**
- Transportation: **SB 101, SB 116, SB 127, SB 167.**

**CHANGE OF REFERENCE**

Speaker Ryckman announced the withdrawal of **HB 2160** from Calendar and re-referral to Committee on Health and Human Services.

**MESSAGE FROM THE GOVERNOR**

March 2, 2021

*Message to the Kansas House of Representatives:*

Enclosed herewith is Executive Directive No. 21-530 for your information.

EXECUTIVE DIRECTIVE NO. 21-530  
Concerning Authorizing Expenditure of Federal Funds

LAURA KELLY  
*Governor*

**MESSAGES FROM THE SENATE**

The Senate nonconcurrs in House amendments to **SB 47**, requests a conference and has appointed Senators Tyson, Alley and Holland as conferees on the part of the Senate.

The Senate announced the appointment of Senator Thompson to replace Senator Wilborn as a conferee on **SB 40**.

**REPORTS OF STANDING COMMITTEES**

Committee on **K-12 Education Budget** recommends **SB 235** be passed.

**COMMITTEE ASSIGNMENT CHANGES**

Speaker Ryckman announced the appointment of Rep. Henderson to replace Rep. Victors on Committee on Federal and State Affairs effective immediately.

Also, the appointment of Rep. Ohaebosim to replace Rep. Haswood on Committee on Judiciary effective immediately.

On motion of Rep. Hawkins the House adjourned pro forma until 8:30 a.m. on Friday, March 12, 2021.

# Journal of the House

FORTY-SECOND DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, March 12, 2021, 8:30 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Finch in the chair.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2433**.

Financial Institutions and Rural Development: **HB 2431**.

Taxation: **HB 2432, HCR 5016**.

## MESSAGES FROM THE SENATE

The Senate concurs in House amendments to **SB 13**.

## REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **HB 2219, HB 2287** be passed.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Monday, March 15, 2021.

# Journal of the House

## FORTY-THIRD DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, March 15, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 121 members present.

Reps. Howard and Weigel were excused on verified illness.

Reps. Francis and S. Johnson were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Gracious God, as we pray we ask that You draw near,  
and remind us once again how good it is to be close to You.  
Come alongside our lawmakers today and this week  
so that that their walk would fall in step with Your own purpose.  
Provide them encouragement when their work  
and their desire for progress seems frustrated and hopeless.  
Guide them with Your counsel  
when they find themselves inclined to lead on impulse.  
And grant them confidence in Your grace plan  
when they are confounded with uncertainty and hesitation.  
Show them the importance of patience  
when they face unyieldingness among their colleagues.  
And when, on this journey, their hearts become embittered,  
show us how to love as You have loved us.  
You are the strength of our hearts and our reward forever.  
We claim this promise and stand on it to get us through.  
I pray this in Christ's Name, Amen

The Pledge of Allegiance was led by Rep. Collins.

### CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2025** from Calendar and re-referral to Committee on Federal and State Affairs.

### MESSAGE FROM THE GOVERNOR

**Sub HB 2049** approved on March 11, 2021.

**MESSAGE FROM THE GOVERNOR**

March 2, 2021

*Message to the Kansas House of Representatives:*

Enclosed herewith is Executive Order No. 21-07 for your information.

**EXECUTIVE ORDER NO. 21-07**

Supporting Kansas veterans with the establishment of a new state veterans' home

Laura Kelly  
*Governor*

**MESSAGES FROM THE SENATE**

Announcing passage of **SB 50**.

The Senate announced the appointment of Senator Wilborn to replace Senator Thompson as a conferee on **SB 40**.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bill was thereupon introduced and read by title:

**SB 50**.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 47**.

Speaker Ryckman thereupon appointed Reps. A. Smith, Mason and Gartner as conferees on the part of the House.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Garber in the chair.

**COMMITTEE OF THE WHOLE**

On motion of Rep. Garber, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2219**, **HB 2287**, **SB 235** be passed.

**REPORTS OF STANDING COMMITTEES**

Committee on **Federal and State Affairs** recommends **HCR 5013** be adopted.

Committee on **Federal and State Affairs** recommends **HB 2089** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2089," as follows:

"Substitute for HOUSE BILL NO. 2089

By Committee on Federal and State Affairs

AN ACT concerning education; relating to firearms; standardizing firearm safety education training programs in school districts; establishing the Roy'Ale act."; and the substitute bill be passed.

(**Sub HB 2089** was thereupon introduced and read by title.)

Committee on **Federal and State Affairs** recommends **HB 2415** be amended on page 1, in line 11, after "to" by inserting "make arrests, conduct searches and seizures and generally to"; in line 12, by striking "such investigators encounter"; also in line 12, by striking all after "laws"; in line 13, by striking all before the period and inserting "are encountered by such employees during the routine performance of their duties"; in line 15, by striking "an" and inserting "a joint"; in line 17, by striking ", regular or volunteer, or" and inserting "and"; in line 18, by striking "if no local fire department exists" and inserting ". If there is no local fire department, the joint investigation shall be initiated by the chief law enforcement officer and the state fire marshal"; and the bill be passed as amended.

Committee on **Financial Institutions and Rural Development** recommends **HB 2236** be amended on page 1, in line 16, after "section" by inserting "unless the sales comparison approach is required in order for such mortgage finance transaction loan to be guaranteed or sold in the secondary market"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **SB 77** be amended on page 19, in line 13, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker Ryckman announced the appointment of Rep. Vaughn to replace Rep. Woodard on Committee on Taxation on March 15, 2021.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6010, HR 6011** reported correctly enrolled and properly signed on March 15, 2021.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Tuesday, March 16, 2021.

# Journal of the House

FORTY-FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, March 16, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 124 members present.  
Rep. Howard was excused on verified illness.

Prayer by Rep. Timothy Johnson:

Father God, as we join together this morning we are reminded of the words in 1 Timothy 2:1-2 “I urge, then, first of all, that petitions, prayers, intercession and thanksgiving be made for all people — for kings and all those in authority, that we may live peaceful and quiet lives in all godliness and holiness.”

From these words I give thanks for the members of this body who are joined together today as stewards with wonderful talents, seeking to help all within this state to live peaceful and quiet lives.

In His holy name, Amen.

The Pledge of Allegiance was led by Rep. Featherston.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committees as indicated:

Taxation: **SB 50**.

## CHANGE OF REFERENCE

Speaker Ryckman announced the withdrawal of **HB 2328** from Committee on Taxation and referral to Committee on Commerce, Labor and Economic Development.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2219**, AN ACT concerning income taxation; relating to credits; establishing a tax credit to incentivize employers to employ persons with developmental disabilities; creating the Kansas targeted employment act, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Helgerson.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2287**, AN ACT concerning workforce development; relating to postsecondary education; creating the Kansas promise scholarship act; providing scholarships to students who attend postsecondary educational programs that correspond to in-demand career fields, was considered on final action.

On roll call, the vote was: Yeas 115; Nays 9; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Averkamp, Bergkamp, Burris, Garber, Helgerson, Highland, Jacobs, Lee-Hahn, Poetter.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**SB 235**, AN ACT concerning education; relating to student attendance; enacting the back to school act; requiring school districts to provide for a full-time, in person attendance option, was considered on final action.

On roll call, the vote was: Yeas 55; Nays 69; Present but not voting: 0; Absent or not voting: 1.

Yeas: Arnberger, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Burris, Carlson, B. Carpenter, W. Carpenter, Collins, Corbet, Croft, Delperdang, Donohoe, Ellis, Estes, Fairchild, Finch, Garber, Hawkins, Helmer, Hoffman, Houser, Huebert, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lee-Hahn, Lynn, Mason, Moser, Murphy, Neelly, Owens, Penn, Poetter, Proctor, Rahjes, Rhiley, Ryckman, Samsel, Seiwert, Smith, C., Smith, E., Sutton, Tarwater, Toplikar, Turner, Waggoner, Wasinger, Waymaster, K. Williams.

Nays: Alcala, Amyx, Anderson, Baker, Ballard, Bishop, Borjon, Burroughs, Byers, Carlin, Carmichael, Clark, Clayton, Coleman, Concannon, Curtis, Day, Dodson, M., Eplee, Esau, Featherston, Finney, Francis, French, Gartner, Haswood, Helgerson, Henderson, Highberger, Highland, Hoheisel, Howe, Hoye, Jennings, S. Johnson, Kelly, Kuether, Long, Miller, Minnix, Neighbor, Newland, Ohaebosim, Orr, Ousley, Parker, F. Patton, Poskin, Probst, Proehl, Ralph, Resman, Ruiz, L., Ruiz, S., Sanders, Sawyer, Schreiber, Smith, A., Stogsdill, Thomas, Thompson, Vaughn, Victors, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard.

The bill failed.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: Since the beginning of the pandemic, the CDC reports that anxiety and depression has tripled among adolescents. Remote-only students face higher rates of academic failure, absenteeism, and the negative effects of prolonged isolation which impacts their safety, security, and well-being. Besides the physical, psychological, and academic losses, remote-only students are denied an equal and adequate education raising serious equity issues. It's time to put the excuses to rest and say yes to every student in Kansas who needs and desires in-person instruction. Mr. Speaker, I vote yes on **SB 235**. — KRISTEY WILLIAMS, KYLE HOFFMAN, STEVE HUEBERT, STEPHEN OWENS, CHARLES SMITH, SUSAN HUMPHRIES

MR. SPEAKER: I vote nay on **SB 235**. In February, Salina Public Schools announced a plan to reopen full-time in-person school for all students in grades 7-12 beginning April 1<sup>st</sup>. It is important to note that all elementary aged students in Salina have been doing full-time in-person school since last fall. While I appreciate the urgency to get students in other parts of the state back to the classroom, this one-size fits-all legislation removes local control, and sets an arbitrary date which conflicts with the date set by the largest school system in my district. I respectfully vote nay. — STEVEN K. HOWE

MR. SPEAKER: I vote NO on **Senate Bill 235**. It's time to be hopeful and focus on the future. Schools are open and children will be all be back in the classrooms soon. Return-to-school plans are in place, teachers have been vaccinated, and schools have funding to adapt buildings for ventilation and purification. We must prioritize these

safety efforts and support a seamless transition to help students, teachers and staff recover from this disaster. School Districts had unique challenges so they navigated the pandemic differently. This bill is unnecessary. Permanently ending local control for education delivery just as we're nearing a shift toward normalcy harms school districts struggling the most. – PONKA-WE VICTORS, TOM SAWYER, JO ELLA HOYE, LINDSAY VAUGHN, JENNIFER DAY, JOHN CARMICHAEL, BARBARA BALLARD, CINDY NEIGHBOR, ANNIE KUETHER, RUI XU, VALDENIA WINN, STEPHANIE CLAYTON, KATHY WOLFE MOORE, L. E. RUIZ, GAIL FINNEY, SYDNEY CARLIN, PAM CURTIS, ELIZABETH BISHOP, JOHN ALCALA, JASON PROBST, LINDA FEATHERSTON, BRANDON WOODARD, BRETT PARKER, SUSAN RUIZ, STEPHANIE BYERS, MARI-LYNN POSKIN

On motion of Rep. Mason, the House resolved into the Committee of the Whole, with Rep. Eplee in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Eplee, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2248** be passed.

Committee report recommending a substitute bill to **HB 2094** be adopted; and **Sub HB 2094** be passed.

Committee report to **HB 2339** be adopted.

Also, on motion of Rep. Finch, **HB 2339** be amended as amended by House Committee, on page 1, in line 16, by striking "intentionally" and the bill be passed as amended.

On motion of Rep. T. Johnson, **HB 2021** be amended on page 1, in line 13, by striking "\$17,500,000" and inserting "\$10,500,000" and the bill be passed as amended.

### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 40** 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 of the Whole amendments, as follows:

On page 1, by striking all in lines 11 through 32;

By striking all on pages 2 through 28;

On page 29, by striking all in lines 1 through 22 and inserting:

"New Section 1. (a) (1) During the state of disaster emergency related to the COVID-19 health emergency described in K.S.A. 2020 Supp. 48-924b, and amendments thereto, only the board of education responsible for the maintenance, development and operation of a school district shall have the authority to take any action, issue any order or adopt any policy made or taken in response to such disaster emergency that affects the operation of any school or attendance center of such school district, including, but not limited to, any action, order or policy that:

(A) Closes or has the effect of closing any school or attendance center of such

school district;

(B) authorizes or requires any form of attendance other than full-time, in-person attendance at a school in the school district, including, but not limited to, hybrid or remote learning; or

(C) mandates any action by any students or employees of a school district while on school district property.

(2) An action taken, order issued or policy adopted by the board of education of a school district pursuant to paragraph (1) shall only affect the operation of schools under the jurisdiction of the board and shall not affect the operation of nonpublic schools.

(3) During any such disaster emergency, the state board of education, the governor, the department of health and environment, a local health officer, a city health officer or any other state or local unit of government may provide guidance, consultation or other assistance to the board of education of a school district but shall not take any action related to such disaster emergency that affects the operation of any school or attendance center of such school district pursuant to paragraph (1).

(b) Any meeting of a board of education of a school district discussing an action, order or policy described in this section, including any hearing by the board under subsection (c), shall be open to the public in accordance with the open meetings act, K.S.A. 75-4317 et seq., and amendments thereto, and may be conducted by electronic audio-visual communication when necessary to secure the health and safety of the public, the board and employees.

(c) (1) An employee, a student or the parent or guardian of a student aggrieved by an action taken, order issued or policy adopted by the board of education of a school district pursuant to subsection (a)(1), or an action of any employee of a school district violating any such action, order or policy, may request a hearing by such board of education to contest such action, order or policy within 30 days after the action was taken, order was issued or policy was adopted by the board of education. Any such request shall not stay or enjoin such action, order or policy.

(2) Upon receipt of a request under paragraph (1), the board of education shall conduct a hearing within 72 hours of receiving such request for the purposes of reviewing, amending or revoking such action, order or policy. The board shall issue a decision within seven days after the hearing is conducted.

(3) The board of education may adopt emergency rules of procedure to facilitate the efficient adjudication of any hearing requested under this subsection, including, but not limited to, rules for consolidation of similar hearings.

(d) (1) An employee, a student or the parent or guardian of a student aggrieved by a decision of the board of education under subsection (c)(2) may file a civil action in the district court of the county in which such party resides or in the district court of Shawnee county, Kansas, within 30 days after such decision is issued by the board. Notwithstanding any order issued pursuant to K.S.A. 2020 Supp. 20-172(a), and amendments thereto, the court shall conduct a hearing within 72 hours after receipt of a petition in any such action. The court shall grant the request for relief unless the court finds the action taken, order issued or policy adopted by the board of education is

narrowly tailored to respond to the state of disaster emergency and uses the least restrictive means to achieve such purpose. The court shall issue an order on such petition within seven days after the hearing is conducted. If the court does not issue an order on such petition within seven days, the relief requested in the petition shall be granted.

(2) Relief under this section shall not include a stay or injunction concerning the contested action taken, order issued or policy adopted by the board of education that applies beyond the county in which the petition was filed.

(3) The supreme court may adopt emergency rules of procedure to facilitate the efficient adjudication of any hearing requested under this subsection, including, but not limited to, rules for consolidation of similar hearings.

New Sec. 2. (a) (1) During the state of disaster emergency related to the COVID-19 health emergency described in K.S.A. 2020 Supp. 48-924b, and amendments thereto, only the governing body of a community college, as established pursuant to K.S.A. 71-201, and amendments thereto, or the governing body of a technical college, as established pursuant to K.S.A. 74-32,452, and amendments thereto, shall have the authority to take any action, issue any order or adopt any policy made or taken in response to such disaster emergency that affects the operation of the community college or technical college governed by such governing body, including, but not limited to, any action, order or policy that:

(A) Closes or has the effect of closing any community college or technical college;

(B) authorizes or requires any form of attendance at any community college or technical college; or

(C) mandates any action by any students or employees of a community college or technical college while on college property.

(2) During any such disaster emergency, the state board of regents, the governor, the department of health and environment, a local health officer, a city health officer, the Kansas association of community college trustees, the Kansas technical college association or any other state or local unit of government may provide guidance, consultation or other assistance to the governing body of a community college or technical college, but shall not take any action related to such disaster emergency that affects the operation of any such college.

(b) Any meeting of a governing body of a community college or technical college discussing an action, order or policy described in this section, including any hearing by such governing body under subsection (c), shall be open to the public in accordance with the open meetings act, K.S.A. 75-4317 et seq., and amendments thereto, and may be conducted by electronic audio-visual communication when necessary to secure the health and safety of the public, the governing body and employees.

(c) (1) An employee or a student aggrieved by an action taken, order issued or policy adopted by the governing body of a community college or technical college pursuant to subsection (a)(1), or an action of any employee of such college violating any such action, order or policy, may request a hearing by such governing body to contest such action, order or policy. Any such request shall not stay or enjoin such

action, order or policy.

(2) Upon receipt of a request under paragraph (1), the governing body shall conduct a hearing within 72 hours of receiving such request for the purposes of reviewing, amending or revoking such action, order or policy. The governing body shall issue a decision within seven days after the hearing is conducted.

(3) The governing body may adopt emergency rules of procedure to facilitate the efficient adjudication of any hearing requested under this subsection, including, but not limited to, rules for consolidation of similar hearings.

(d) (1) An employee or a student aggrieved by a decision of the governing body under subsection (c)(2) may file a civil action in the district court of the county in which such party resides or in the district court of Shawnee county, Kansas, within 30 days after such decision is issued by the governing body. Notwithstanding any order issued pursuant to K.S.A. 2020 Supp. 20-172(a), and amendments thereto, the court shall conduct a hearing within 72 hours after receipt of a petition in any such action. The court shall grant the request for relief unless the court finds the action taken, order issued or policy adopted by the governing body is narrowly tailored to respond to the state of disaster emergency and uses the least restrictive means to achieve such purpose. The court shall issue an order on such petition within seven days after the hearing is conducted. If the court does not issue an order on such petition within seven days, the relief requested in the petition shall be granted.

(2) Relief under this section shall not include a stay or injunction concerning the contested action taken, order issued or policy adopted by the governing body that applies beyond the county in which the petition was filed.

(3) The supreme court may adopt emergency rules of procedure to facilitate the efficient adjudication of any hearing requested under this subsection, including, but not limited to, rules for consolidation of similar hearings.

Sec. 3. K.S.A. 46-1201 is hereby amended to read as follows: 46-1201. (a) There is hereby established the legislative coordinating council which shall have ~~seven~~ (7) eight members. Such members shall be the president of the senate, the speaker of the house of representatives, the vice president of the senate, the speaker pro tem of the house of representatives, the majority leader of the senate, the majority leader of the house of representatives, the minority leader of the senate, and the minority leader of the house of representatives.

(b) In even-numbered years, the speaker of the house of representatives shall be ~~chairman~~ chairperson of the legislative coordinating council, and the president of the senate shall be ~~vice chairman thereof~~ vice chairperson. In odd-numbered years, the president of the senate shall be ~~chairman~~ chairperson of the legislative coordinating council, and the speaker shall be ~~vice chairman thereof~~ vice chairperson.

(c) The legislative coordinating council shall meet at least once each month in the interim between legislative sessions. Such council shall meet on the call of ~~its chairman~~ the chairperson or any three members of the council. The director of legislative administrative services, director of legislative research, revisor of statutes and each member of the legislature shall be given notice of each meeting of the council by ~~its chairman~~ the chairperson, except in cases of emergency. Each such notice shall state the

date, time and place of the meeting. The ~~chairman~~ chairperson also shall cause minutes to be prepared for each meeting of the council, and a copy thereof shall be sent to each person who is required to receive notice of the council's meetings by this subsection. It shall not be necessary to transmit with such minutes any accompanying documents for any item of business, but the minutes shall indicate whether there are supportive documents for any item of business, the nature of such documents and where they are filed or stored.

Sec. 4. K.S.A. 2020 Supp. 48-924, as amended by section 2 of 2021 Senate Bill No. 14, is hereby amended to read as follows: 48-924. (a) The governor shall be responsible for meeting the dangers to the state and people presented by disasters.

(b) (1) Subject to the provisions of K.S.A. 2020 Supp. 48-924b, and amendments thereto, the governor, upon finding that a disaster has occurred or that occurrence or the threat thereof is imminent, shall issue a proclamation declaring a state of disaster emergency.

(2) In addition to or instead of the proclamation authorized by K.S.A. 47-611, and amendments thereto, the governor, upon a finding or when notified pursuant to K.S.A. 47-611, and amendments thereto, that a quarantine or other regulations are necessary to prevent the spread among domestic animals of any contagious or infectious disease, may issue a proclamation declaring a state of disaster emergency. In addition to or instead of any actions pursuant to the provisions of K.S.A. 2-2114, and amendments thereto, the governor, upon a finding or when notified pursuant to K.S.A. 2-2112 et seq., and amendments thereto, that a quarantine or other regulations are necessary to prevent the spread among plants, raw agricultural commodities, animal feed or processed food of any contagious or infectious disease, may issue a proclamation declaring a state of disaster emergency.

(3) The state of disaster emergency so declared shall continue until the governor finds that the threat or danger of disaster has passed, or the disaster has been dealt with to the extent that emergency conditions no longer exist. Upon making such findings the governor shall terminate the state of disaster emergency by proclamation, but except as provided in paragraph (4), no state of disaster emergency may continue for longer than 15 days unless ratified by concurrent resolution of the legislature, with the single exception that upon specific application by the governor to the ~~state finance council~~ legislative coordinating council and an affirmative vote of ~~a majority~~ five of the ~~legislative~~ members thereof, a state of disaster emergency may be extended ~~once for a specified period not to exceed 30 days beyond such 15-day period~~ periods not to exceed 30 days each.

(4) If the state of disaster emergency is proclaimed pursuant to paragraph (2), the governor shall terminate the state of disaster emergency by proclamation within 15 days, unless ratified by concurrent resolution of the legislature, except that when the legislature is not in session and upon specific application by the governor to the ~~state finance legislative coordinating council~~ and an affirmative vote of ~~a majority of the legislative~~ five members thereof, a state of disaster emergency may be extended for a specified period not to exceed 30 days. The ~~state finance legislative coordinating council~~ may authorize additional extensions of the state of disaster emergency by ~~a unanimous~~ an affirmative vote of the ~~legislative~~ five members thereof for specified periods not to exceed 30 days each. Such state of disaster emergency shall be terminated on the 15<sup>th</sup> day of the next regular legislative session following the initial

date of the state of disaster emergency unless ratified by concurrent resolution of the legislature.

(5) The state of disaster emergency described in K.S.A. 2020 Supp. 48-924b, and amendments thereto, shall terminate ~~on September 15, 2020~~, as provided in K.S.A. 2020 Supp. 48-924b, and amendments thereto, except that when the legislature is not in session or is adjourned during session for three or more days, and upon specific application by the governor to the ~~state finance~~ legislative coordinating council and an affirmative vote of ~~at least six of the legislative members of the council~~ five members thereof, this state of disaster emergency may be extended for specified periods not to exceed 30 days each. ~~No such extension granted by the state finance council shall continue past March 31, 2021.~~

(6) At any time, the legislature by concurrent resolution may require the governor to terminate a state of disaster emergency. Upon such action by the legislature, the governor shall issue a proclamation terminating the state of disaster emergency.

(7) Any proclamation declaring or terminating a state of disaster emergency ~~which that~~ is issued under this ~~subsection~~ section shall indicate the nature of the disaster, the area or areas of the state threatened or affected by the disaster and the conditions ~~which that~~ have brought about, or ~~which that~~ make possible the termination of, the state of disaster emergency. Each such proclamation shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and, unless the circumstances attendant upon the disaster prevent the same, each such proclamation shall be filed promptly with the division of emergency management, the office of the secretary of state and each city clerk or county clerk, as the case may be, in the area or areas of the state to which such proclamation applies.

(c) In the event of the absence of the governor from the state or the existence of any constitutional disability of the governor, an officer specified in K.S.A. 48-1204, and amendments thereto, in the order of succession provided by that section, may issue a proclamation declaring a state of disaster emergency in the manner provided in and subject to the provisions of subsection ~~(a)~~ (b). During a state of disaster emergency declared pursuant to this subsection, such officer may exercise the powers conferred upon the governor by K.S.A. 48-925, and amendments thereto. If a preceding officer in the order of succession becomes able and available, the authority of the officer exercising such powers shall terminate and such powers shall be conferred upon the preceding officer. Upon the return of the governor to the state or the removal of ~~any~~ the constitutional disability of the governor, the authority of an officer to exercise the powers conferred by this section shall terminate immediately and the governor shall resume the full powers of the office. Any such state of disaster emergency and any actions taken by an officer under this subsection shall continue and shall have full force and effect as authorized by law unless modified or terminated by the governor in the manner prescribed by law.

(d) A proclamation declaring a state of disaster emergency shall activate the disaster response and recovery aspects of the state disaster emergency plan and of any local and interjurisdictional disaster plans applicable to the ~~political subdivisions or areas of the state and any political subdivisions thereof~~ affected by the proclamation. Such proclamation shall be constitute the authority necessary for the deployment and use of any forces to which the plan or plans apply and for use or distribution of any supplies, equipment, materials or facilities assembled, stockpiled or arranged to be

made available pursuant to this act during a disaster.

(e) The governor, when advised pursuant to K.S.A. 74-2608, and amendments thereto, that conditions indicative of drought exist, ~~shall be~~ is authorized to declare by proclamation that a state of drought exists. This declaration of a state of drought can be for specific areas or communities, can be statewide or for specific water sources and shall effect immediate implementation of drought contingency plans contained in state approved conservation plans, including those for state facilities.

Sec. 5. K.S.A. 2020 Supp. 48-924b, as amended by section 3 of 2021 Senate Bill No. 14, is hereby amended to read as follows: 48-924b. (a) The state of disaster emergency that was declared by the governor pursuant to K.S.A. 48-924, and amendments thereto, as a result of the COVID-19 health emergency, by proclamation on March 12, 2020, which was ratified and continued in force and effect through May 1, 2020, by 2020 House Concurrent Resolution No. 5025, adopted by the house of representatives with the senate concurring therein on March 19, 2020, declared by proclamation on April 30, 2020, which was extended and continued in existence by the state finance council on May 13, 2020, for an additional 12 days through May 26, 2020, and declared by proclamation on May 26, 2020, which was ratified and continued in existence through September 15, 2020, by this section, extended and continued in existence by the state finance council on September 11, 2020, for an additional 30 days through October 15, 2020, extended and continued in existence by the state finance council on October 7, 2020, for an additional 30 days through November 15, 2020, extended and continued in existence by the state finance council on November 13, 2020, for an additional 30 days through December 15, 2020, extended and continued in existence by the state finance council on December 11, 2020, for an additional 26 days through January 10, 2021, ~~and~~ extended and continued in existence by the state finance council on January 6, 2021, for an additional 16 days through January 26, 2021, and ratified and continued in existence through March 31, 2021, by this section for all 105 counties of Kansas, is hereby ratified and continued in existence from March 12, 2020, through ~~March 31~~ May 28, 2021.

(b) The governor shall not proclaim any new state of disaster emergency related, in whole or in part, to the COVID-19 health emergency, including, but not limited to, any economic, financial or other crisis caused by such emergency, during 2020 or 2021, unless the governor makes specific application to the ~~state finance legislative coordinating council~~ legislative coordinating council and an affirmative vote of ~~at least six of the legislative five members of the council approve thereof~~ approves such action by the governor.

(c) Notwithstanding any other provision of law to the contrary, all executive orders issued during the state of disaster emergency ratified and continued in existence pursuant to this section related to the COVID-19 health emergency are hereby revoked on March 31, 2021, and shall be null and void. Any new executive orders issued during the state of disaster emergency ratified and continued in existence pursuant to subsection (a) or during a state of disaster emergency authorized pursuant to subsection (b) that are related to the COVID-19 health emergency shall be subject to revocation by the legislature or the legislative coordinating council pursuant to K.S.A. 48-925, and amendments thereto.

Sec. 6. K.S.A. 2019 Supp. 48-925, as amended by section 4 of 2021 Senate Bill No. 14, is hereby amended to read as follows: 48-925. (a) During any state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, the governor shall

be commander-in-chief of the organized and unorganized militia and of all other forces available for emergency duty. To the greatest extent practicable, the governor shall delegate or assign command authority by prior arrangement, embodied in appropriate executive orders or in rules and regulations of the adjutant general, but nothing ~~herein~~ shall restrict the authority of the governor to do so by executive orders issued at the time of a disaster.

(b) Under the provisions of this act and for the implementation of this act, the governor may issue executive orders to exercise the powers conferred by subsection (c) that have the force and effect of law during the period of a state of disaster emergency declared under K.S.A. 48-924(b), and amendments thereto, or as provided in K.S.A. 2020 Supp. 48-924b, and amendments thereto. ~~Within 24 hours of the issuance of any such order, The governor chairperson of the legislative coordinating council shall call a meeting of the state finance council to occur within 24 hours of the issuance of an executive order issued pursuant to this section~~ for the purposes of reviewing such order. Such executive orders shall be null and void after the period of a state of disaster emergency has ended. Such executive orders may be revoked at any time by concurrent resolution of the legislature or, when the legislature is not in session or is adjourned during session for three or more days, such orders may be revoked by the legislative coordinating council with the affirmative vote of five members thereof.

(c) ~~Except as provided in K.S.A. 2020 Supp. 48-924b, and amendments thereto,~~ during a state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, in addition to any other powers conferred upon the governor by law and subject to the provisions of ~~subsection (d), (e) and (f) subsections (d) and (e),~~ the governor may:

(1) Suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders or rules and regulations of any state agency which implements such statute, if strict compliance with the provisions of such statute, order or rule and regulation would prevent, hinder or delay in any way necessary action in coping with the disaster;

(2) utilize all available resources of the state government and of each political subdivision as reasonably necessary to cope with the disaster;

(3) transfer the supervision, personnel or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency management activities;

(4) subject to any applicable requirements for compensation under K.S.A. 48-933, and amendments thereto, commandeer or utilize any private property if the governor finds such action necessary to cope with the disaster;

(5) direct and compel the evacuation of all or part of the population from any area of the state stricken or threatened by a disaster, if the governor deems this action necessary for the preservation of life or other disaster mitigation, response or recovery;

(6) prescribe routes, modes of transportation and destinations in connection with such evacuation;

(7) control ingress and egress of persons and animals to and from a disaster area, the movement of persons and animals within the area and the occupancy by persons and animals of premises therein;

(8) suspend or limit the sale, dispensing or transportation of alcoholic beverages, explosives and combustibles;

(9) make provision for the availability and use of temporary emergency housing;

(10) require and direct the cooperation and assistance of state and local governmental agencies and officials; and

(11) perform and exercise such other functions, powers and duties in conformity with the constitution and the bill of rights of the state of Kansas and with the statutes of the state of Kansas, except any regulatory statute specifically suspended under the authority of subsection (c)(1), as are necessary to promote and secure the safety and protection of the civilian population.

(d) The governor shall not have the power or authority to ~~temporarily or permanently seize, or authorize seizure of, any ammunition or to suspend or limit the sale, dispensing or transportation of firearms or ammunition limit or otherwise restrict the sale, purchase, transfer, ownership, storage, carrying or transporting of firearms or ammunition, or any component or combination thereof, including any components or combination thereof used in the manufacture of firearms or ammunition, or seize or authorize the seizure of any firearms or ammunition, or any component or combination thereto, except as otherwise permitted by state or federal law pursuant to subsection (c) (8) or any other executive authority.~~

(e) ~~Notwithstanding any provision of this section to the contrary and pursuant to the governor's state of disaster emergency proclamation issued on May 26, 2020, the governor shall not have the power or authority to restrict businesses from operating or to restrict the movement or gathering of individuals. The provisions of this subsection shall expire on September 15, 2020.~~

(f) The governor shall not have the power under the provisions of the Kansas emergency management act or the provisions of any other law to alter or modify any provisions of the election laws of the state including, but not limited to, the method by which elections are conducted or the timing of such elections.

(g)(f) The governor shall exercise the powers conferred by subsection (c) by issuance of executive orders under subsection (b). Each executive order issued pursuant to the authority granted by subsection (b) shall specify the provision or provisions of subsection (c) by specific reference to each paragraph of subsection (c) that confers the power under which the executive order was issued. The adjutant general, subject to the direction of the governor, shall administer such executive orders.

(h)(g) (1) Any party aggrieved by an executive order issued pursuant to this section that has the effect of substantially burdening or inhibiting the gathering or movement of individuals or the operation of any religious, civic, business or commercial activity, whether for-profit or not-for-profit, may file a civil action in the district court of the county in which such party resides or in the district court of Shawnee county, Kansas, within 30 days after the issuance of such executive order. Notwithstanding any order issued pursuant to K.S.A. 2020 Supp. 20-172(a), and amendments thereto, the court shall conduct a hearing within 72 hours after receipt of a petition in any such action. The court shall grant the request for relief unless the court finds such executive order is narrowly tailored to respond to the state of disaster emergency and uses the least restrictive means to achieve such purpose. The court shall issue an order on such petition within seven days after the hearing is conducted. If the court does not issue an order on such petition within seven days, the relief requested in the petition shall be granted.

(2) Relief under this section shall not include a stay or injunction concerning the contested executive order that applies beyond the county in which the petition was filed.

(3) The supreme court may adopt emergency rules of procedure to facilitate the efficient adjudication of any hearing requested under this subsection, including, but not limited to, rules for consolidation of similar hearings.

(h) (1) The board of county commissioners of any county may issue an order relating to public health that includes provisions that are less stringent than the provisions of an executive order effective statewide issued by the governor. Any board of county commissioners issuing such an order must make the following findings and include such findings in the order:

~~(1)(A)~~ The board has consulted with the local health officer or other local health officials regarding the governor's executive order;

~~(2)(B)~~ following such consultation, implementation of the full scope of the provisions in the governor's executive order are not necessary to protect the public health and safety of the county; and

~~(3)(C)~~ all other relevant findings to support the board's decision.

(2) If the board of county commissioners of a county issues an order pursuant to paragraph (1), such order shall operate in the county in lieu of the governor's executive order.

Sec. 7. K.S.A. 2020 Supp. 48-925a, as amended by section 6 of 2021 Senate Bill No. 14, is hereby amended to read as follows: 48-925a. (a) During any state of disaster emergency related to the COVID-19 public health emergency declared pursuant to K.S.A. 48-924, and amendments thereto, the governor may not issue an order that substantially burdens or inhibits the gathering or movement of individuals or operation of any religious, civic, business or commercial activity, whether for-profit or not-for-profit.

(b) Any order issued that violates or exceeds the restrictions provided in subsection (a) shall not have the force and effect of law during the period of a state of disaster emergency declared under K.S.A. 48-924(b), and amendments thereto, and any such order shall be null and void.

~~(c) The provisions of this section shall expire on March 31, 2021.~~

Sec. 8. K.S.A. 2020 Supp. 48-932 is hereby amended to read as follows: 48-932. (a) A state of local disaster emergency may be declared by the ~~chairman~~ chairperson of the board of county commissioners of any county, or by the mayor or other principal executive officer of each city of this state having a disaster emergency plan, upon a finding by such officer that a disaster has occurred or the threat thereof is imminent within such county or city. No state of local disaster emergency shall be continued for a period in excess of seven days or renewed, except with the consent of the board of county commissioners of such county or the governing body of such city. Any order or proclamation declaring, continuing or terminating a local disaster emergency shall be given prompt and general publicity and shall be filed with the county clerk or city clerk. Any such declaration may be reviewed, amended or revoked by the board of county commissioners or the governing body of the city, respectively, at a meeting of such governing body.

(b) In the event of the absence of the ~~chairman~~ chairperson of the board of county commissioners from the county or the incapacity of such ~~chairman~~ chairperson, the board of county commissioners, by majority action of the remaining members thereof, may declare a state of local disaster emergency in the manner provided in and subject to the provisions of subsection (a). In the event of the absence of the mayor or other

principal executive officer of a city from the city or the incapacity of such mayor or officer, the governing body of the city, by majority action of the remaining members thereof, may declare a state of local disaster emergency in the manner provided in and subject to the provisions of subsection (a). Any state of local disaster emergency and any actions taken pursuant to applicable local and interjurisdictional disaster emergency plans, under this subsection shall continue and have full force and effect as authorized by law unless modified or terminated in the manner prescribed by law.

(c) The declaration of a local disaster emergency shall activate the response and recovery aspects of any and all local and interjurisdictional disaster emergency plans which are applicable to such county or city, and shall initiate the rendering of aid and assistance thereunder.

(d) No interjurisdictional disaster agency or any official thereof may declare a local disaster emergency, unless expressly authorized by the agreement pursuant to which the agency functions. However, an interjurisdictional disaster agency shall provide aid and services in accordance with the agreement pursuant to which it functions in the case of a state of local disaster emergency declared under subsection (a).

(e) (1) Any party aggrieved by an action taken by a local unit of government pursuant to this section that has the effect of substantially burdening or inhibiting the gathering or movement of individuals or the operation of any religious, civic, business or commercial activity, whether for-profit or not-for-profit, may file a civil action in the district court of the county in which such action was taken within 30 days after such action is taken. Notwithstanding any order issued pursuant to K.S.A. 2020 Supp. 20-172(a), and amendments thereto, the court shall conduct a hearing within 72 hours after receipt of a petition in any such action. The court shall grant the request for relief unless the court finds such action is narrowly tailored to respond to the state of local disaster emergency and uses the least restrictive means to achieve such purpose. The court shall issue an order on such petition within seven days after the hearing is conducted. If the court does not issue an order on such petition within seven days, the relief requested in the petition shall be granted.

(2) Relief under this section shall not include a stay or injunction concerning the contested action that applies beyond the county in which the action was taken.

(3) The supreme court may adopt emergency rules of procedure to facilitate the efficient adjudication of any hearing requested under this subsection, including, but not limited to, rules for consolidation of similar hearings.

Sec. 9. K.S.A. 2020 Supp. 48-939 is hereby amended to read as follows: 48-939.  
(a) (1) Except as provided in paragraph (2), a person who intentionally violates any provision of this act, any rule and regulation adopted by the adjutant general under this act or any lawful order or proclamation issued under authority of this act whether pursuant to a proclamation declaring a state of disaster emergency under K.S.A. 48-924, and amendments thereto, or a declaration of a state of local disaster emergency under K.S.A. 48-932, and amendments thereto, may incur a civil penalty in an amount not to exceed \$2,500 per violation. Each penalty may be assessed in addition to any other penalty provided by law.

(2) A knowing violation of an executive order issued pursuant to K.S.A. 48-925, and amendments thereto, that mandates a curfew or prohibits public entry into an area affected by a disaster is a class A nonperson misdemeanor.

(b) Violations of ~~this section~~ subsection (a)(1) shall be enforced through an action

brought under chapter 60 of the Kansas Statutes Annotated, and amendments thereto, by the attorney general or the county or district attorney in the county in which the violation took place. Civil penalties sued for and recovered by the county or district attorney shall be paid into the general fund of the county where the proceedings were instigated.

(c) The attorney general or any county or district attorney may bring an action to enjoin, or to obtain a restraining order, against a person who has violated, is violating or is otherwise likely to violate this act.

Sec. 10. K.S.A. 2020 Supp. 48-949 is hereby amended to read as follows: 48-949. As used in ~~this~~ the Kansas intrastate emergency mutual aid act:

(a) "Division" means the division of emergency management within the office of the adjutant general.

(b) "Emergency responder" means any person in the public or private sector who: (1) Has special skills, qualifications, training, knowledge and experience which would be beneficial to a participating political subdivision in response to a locally-declared emergency as defined in any applicable law or ordinance or authorized drill or exercises; and (2) is requested or authorized, or both, to respond. An emergency responder may or may not be required to possess a license, certificate, permit or other official recognition for the emergency responder's expertise in a particular field or area of knowledge. "Emergency responder" ~~may include~~ includes, but is not limited to, the following: Law enforcement officers, ~~fire fighters~~ firefighters, 911 call center public safety telecommunicators, emergency medical services personnel, physicians, nurses, physician assistants, public health personnel, emergency management personnel, public works personnel and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency.

Sec. 11. K.S.A. 65-101 is hereby amended to read as follows: 65-101. (a) The secretary of health and environment shall exercise general supervision of the health of the people of the state and may:

(1) Where authorized by any other statute, require reports from appropriate persons relating to the health of the people of the state so a determination of the causes of sickness and death among the people of the state may be made through the use of these reports and other records;

(2) investigate the causes of disease, including especially, epidemics and endemics, the causes of mortality and effects of locality, employments, conditions, food, water supply, habits and other circumstances affecting the health of the people of this state and the causes of sickness and death;

(3) advise other offices and agencies of government concerning location, drainage, water supply, disposal of excreta and heating and ventilation of public buildings;

(4) make sanitary inspection and survey of such places and localities as the secretary deems advisable;

(5) take action to prevent the introduction of infectious or contagious disease into this state and to prevent the spread of infectious or contagious disease within this state;

(6) provide public health outreach services to the people of the state including educational and other activities designed to increase the individual's awareness and appropriate use of public and other preventive health services.

(b) The secretary of health and environment may adopt rules and regulations necessary to carry out the provisions of ~~paragraphs (1) through (6), inclusive, of~~

subsection (a). In addition to other remedies provided by law, the secretary is authorized to apply to the district court, and such court shall have jurisdiction upon a hearing and for cause shown to grant a temporary or permanent injunction to compel compliance with such rules and regulations.

(c) In the event of a state of disaster emergency declared by the governor pursuant to K.S.A. 48-924, and amendments thereto, or a state of local disaster emergency declared pursuant to K.S.A. 48-932, and amendments thereto, the legislature may revoke an order issued by the secretary to take action related to such disaster emergency as provided in this subsection. Such order may be revoked at any time by concurrent resolution of the legislature or, when the legislature is not in session or is adjourned during session for three or more days, such order may be revoked by the legislative coordinating council with the affirmative vote of five members thereof.

Sec. 12. K.S.A. 2020 Supp. 65-201 is hereby amended to read as follows: 65-201.

(a) The board of county commissioners of each county shall act as the county board of health for the county. Each county board shall appoint a person licensed to practice medicine and surgery, preference being given to persons who have training in public health, who shall serve as the local health officer and who shall act in an advisory capacity to the county board of health. The appointing authority of city-county, county or multicounty health units with less than 100,000 population may appoint a qualified local health program administrator as the local health officer if a person licensed to practice medicine and surgery or person licensed to practice dentistry is designated as a consultant to direct the administrator on program and related medical and professional matters. The local health officer or local health program administrator shall hold office at the pleasure of the board.

(b) (1) Except as provided in paragraph (2), any order issued by the local health officer, including orders issued as a result of an executive order of the governor, may be reviewed, amended or revoked by the board of county commissioners of the county affected by such order at a meeting of the board. Any order reviewed or amended by the board shall include an expiration date set by the board and may be amended or revoked at an earlier date by a majority vote of the board.

(2) If a local health officer determines it is necessary to issue an order mandating the wearing of face masks, limiting the size of gatherings of individuals, curtailing the operation of business, controlling the movement of the population of the county or limiting religious gatherings, the local health officer shall propose such an order to the board of county commissioners. At the next regularly scheduled meeting of the board or at a special meeting of the board, the board shall review such proposed order and may take any action related to the proposed order the board determines is necessary. The order shall become effective if approved by the board or, if the board is unable to meet, if approved by the chairperson of the board or the vice chairperson of the board in the chairperson's absence or disability.

(c) The board of county commissioners in any county having a population of less than 15,000 may contract with the governing body of any hospital located in such county for the purpose of authorizing such governing body of the hospital to supply services to a county board of health.

(d) (1) Any party aggrieved by an order issued pursuant to subsection (b)(2) may file a civil action in the district court of the county in which the order was issued within 30 days after such order is issued. Notwithstanding any order issued pursuant to K.S.A.

2020 Supp. 20-172(a), and amendments thereto, the court shall conduct a hearing within 72 hours after receipt of a petition in any such action. The court shall grant the request for relief unless the court finds such order is narrowly tailored to the purpose stated in the order and uses the least restrictive means to achieve such purpose. The court shall issue an order on such petition within seven days after the hearing is conducted. If the court does not issue an order on such petition within seven days, the relief requested in the petition shall be granted.

(2) Relief under this section shall not include a stay or injunction concerning the contested action that applies beyond the county in which the action was taken.

(3) The supreme court may adopt emergency rules of procedure to facilitate the efficient adjudication of any hearing requested under this subsection, including, but not limited to, rules for consolidation of similar hearings.

Sec. 13. K.S.A. 75-3711 is hereby amended to read as follows: 75-3711. (a) The governor shall:

(1) Hear and determine appeals by any state agency from final decisions or final actions of the secretary of administration or the director of computer services.

(2) Approve, modify and approve or reject proposed rules and regulations submitted by the secretary of administration as provided in K.S.A. 75-3706, and amendments thereto.

(3) Make allocations to, and approve expenditures by a state agency, from any appropriations to the governor for that purpose, of funds for unanticipated and unbudgeted needs, under guidelines and limitations prescribed by K.S.A. 75-3711c, and amendments thereto, or other legislative enactment enhancing or altering K.S.A. 75-3711c, and amendments thereto.

(4) Exercise powers and perform functions specified for the state finance council or governor by the Kansas civil service act.

(b)(1) The chairperson and five or more other members of the state finance council shall constitute a quorum. Approval by the governor and approval by a majority vote of the legislative members of the state finance council shall govern, unless a unanimous vote is required by statute in any particular case.

(2) Whenever a matter is to be acted on by the state finance council and a unanimous vote is required to approve the particular matter by K.S.A. ~~48-924~~, 75-3713, 75-3713b or 75-3713c, and amendments thereto, or by any other statute, each member who is unable to attend the meeting at which the matter was voted on, may vote on the motion by written absentee vote in the manner prescribed by this subsection. In any such case, an absent member may vote on the motion by ~~(A)~~ writing the member's signature on a copy of the resolution setting forth the matter that is the subject of the motion, writing the date and indicating the member's vote for or against adoption of the resolution; and ~~(B)~~ submitting the copy of the resolution bearing the absentee vote to the secretary of the state finance council either before or not more than 10 days after the date of the meeting at which the motion was voted on. The secretary of the state finance council shall maintain each copy of a resolution bearing an absentee vote as part of the minutes and records of the meeting at which the motion on the resolution was voted on. The secretary shall indicate in the minutes of the meeting the name of each member voting in writing by absentee vote and the date on which the absentee vote was submitted to the secretary. If a particular matter requiring a unanimous vote receives the affirmative vote of each member of the state finance council attending the meeting and

the affirmative absentee vote pursuant to this subsection of each member not attending the meeting, then the matter shall be deemed to have received the unanimous vote of all members of the state finance council.

(c) Whenever statutes provide for any matter to receive state finance council action, ~~the same such matter~~ shall be made a matter of business before ~~said such~~ council, if and only if the matter is characterized as a legislative delegation, and in other such cases the governor shall exercise the function specified for the state finance council by applying the guidelines and limitations of K.S.A. 75-3711c, and amendments thereto, or other legislative enactment enhancing or altering ~~the same such function~~.

New Sec. 14. The provisions of this act are severable. If any portion of the act is declared unconstitutional or invalid, or the application of any portion of the act to any person or circumstance is held unconstitutional or invalid, the invalidity shall not affect other portions of the act that can be given effect without the invalid portion or application, and the applicability of such other portions of the act to any person or circumstance shall remain valid and enforceable.";

Also on page 29, in line 23, by striking all after "K.S.A."; by striking all in lines 24 and 25; in line 26, by striking all before "are" and inserting "46-1201, 65-101 and 75-3711 and K.S.A. 2019 Supp. 48-925, as amended by section 4 of 2021 Senate Bill No. 14, and 48-925, as amended by section 5 of 2021 Senate Bill No. 14, and K.S.A. 2020 Supp. 48-924, as amended by section 2 of 2021 Senate Bill No. 14, 48-924b, as amended by section 3 of 2021 Senate Bill No. 14, 48-925a, as amended by section 6 of 2021 Senate Bill No. 14, 48-925b, 48-932, 48-939, 48-949 and 65-201";

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 6; in line 7, by striking all before the second "and" and inserting "governmental response to certain emergencies; prescribing powers, duties and functions of the board of education of each school district, the governing body of each community college and the governing body of each technical college related to the COVID-19 health emergency and establishing judicial review thereof; adding the vice president of the senate to the legislative coordinating council; modifying the procedure for the declaration and extension of a state of disaster emergency under the Kansas emergency management act; authorizing the legislative coordinating council and the legislature to take certain actions related to a state of disaster emergency; prohibiting certain actions by the governor related to the COVID-19 health emergency and revoking all executive orders related to such emergency on March 31, 2021; limiting powers granted to the governor during a state of disaster emergency; establishing judicial review for certain executive orders issued during a state of disaster emergency and certain actions taken by a local unit of government during a state of local disaster emergency; providing criminal penalties for a knowing violation of certain executive orders; adding 911 call center public safety telecommunicators and physician assistants to the definition of emergency responder; authorizing the legislature or the legislative coordinating council to revoke certain orders issued by the secretary of health and environment; limiting powers granted to local health officers related to certain orders and establishing judicial review thereof; amending K.S.A. 46-1201, 65-101 and 75-3711 and K.S.A. 2019 Supp. 48-925, as amended by section 4 of 2021 Senate Bill No. 14, and K.S.A. 2020 Supp. 48-924, as amended by section 2 of 2021 Senate Bill No. 14, 48-924b, as amended by section 3 of 2021 Senate Bill No. 14, 48-925a, as amended by

section 6 of 2021 Senate Bill No. 14, 48-932, 48-939, 48-949 and 65-201"; in line 8, by striking "49-619" and inserting "2019 Supp. 48-925, as amended by section 5 of 2021 Senate Bill No. 14, and K.S.A. 2020 Supp. 48-925b";

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

FRED PATTON

BRADLEY RALPH

JOHN CARMICHAEL

*Conferees on part of House*

KELLIE WARREN

RICHARD WILBORN

ETHAN CORSON

*Conferees on part of Senate*

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On motion of Rep. Patton, the conference committee report on **SB 40** was adopted.

On roll call, the vote was: Yeas 118; Nays 5; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Garber, Jacobs, Lee-Hahn, Murphy, Rhiley.

Present but not voting: None.

Absent or not voting: Howard, Parker.

## REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Rural Development** recommends **SB 178**, as amended by Senate Committee, be amended on page 1, in line 31, by striking "state"; in line 35, after "institution" by inserting ";

(3) the name selected for the trust company shall be different or substantially dissimilar from any other trust company doing business in the state";

On page 2, in line 1, after the stricken material, by inserting "and"; by striking all in lines 2 through 4; and the bill be passed as amended.

Committee on **General Government Budget** recommends **HB 2419** be amended on page 3, in line 22, by striking "of discrimination"; in line 23, by striking all after "college"; in line 24, by striking all before the period and inserting "that violates any provision of the Kansas act against discrimination, K.S.A. 44-1001 et seq., and amendments thereto";

On page 8, in line 2, by striking "\$"; in line 4, by striking "\$75" and inserting "100"; in line 6, by striking "\$"; in line 8, by striking "\$100" and inserting "80"; in line 10, by striking "\$125" and inserting "80"; in line 12, by striking "\$"; in line 15, by striking "\$"; in line 17, by striking "\$75" and inserting "100"; in line 19, by striking "\$"; in line 21, by striking "\$100" and inserting "90"; in line 24, by striking "\$125" and inserting "90"; in line 26, by striking "\$150" and inserting "170"; in line 28, by striking "\$700" and inserting "500"; in line 31, by striking "\$"; in line 32, by striking "\$100" and inserting "40"; in line 35, by striking "\$150" and inserting "80"; in line 37, by striking "\$150" and inserting "80"; in line 39, by striking "\$75" and inserting "55"; in line 40, by striking "\$"; in line 41, by striking "\$"; in line 42, by striking "\$"; in line 43, by striking "\$";

On page 9, in line 1, by striking "\$"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **SB 170** be amended on page 6, in line 7, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **Substitute for SB 238**, as amended by Senate Committee of the Whole, be amended on page 1, in line 32, by striking all after "(c) (1)"; by striking all in lines 33 through 36;

On page 2, by striking all in line 1; in line 2, by striking all before the period and inserting "Subject to applications therefor, the Kansas department for aging and disability services shall certify community behavioral health clinics by not later than the following specified dates:

(A) Six facilities currently receiving grants to operate as certified community behavioral health clinics by not later than May 1, 2022;

(B) three additional facilities by not later than July 1, 2022;

(C) nine additional facilities by not later than July 1, 2023; and

(D) eight additional facilities by not later than July 1, 2024.

(2) The Kansas department for aging and disability services may certify community behavioral health clinics in advance of the deadlines established in paragraph (1), including portions of the specified numbers of facilities";

Also on page 2, in line 3, by striking all after "services"; in line 4, by striking all before "may"; by striking all in lines 6 through 8; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2316** be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

**HB 2434**, AN ACT concerning employment; prohibiting the employment of unauthorized aliens by business entities and public employers; requiring use and registration of the e-verify program; prohibiting the deduction of certain wages and remuneration of payments to unauthorized aliens; amending K.S.A. 79-32,117 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2435**, AN ACT concerning emergency medical services; recognizing public safety telecommunicators as emergency responders; amending K.S.A. 2020 Supp. 48-949 and repealing the existing section, by Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION No. **HCR 5017**—

By Committee on Federal and State Affairs

A CONCURRENT RESOLUTION supporting the adoption of the COVID-19 Vaccine Bill of Rights for the purposes of defending the constitutional liberties of Kansas citizens and outlining a framework of best practices for state and federal agencies to develop during this evolving phase of experimental vaccine administration.

WHEREAS, The Founding Fathers deemed that a Bill of Rights was necessary to guard an individual's liberty against encroachments from state and federal actions, both public and private; and

WHEREAS, The 14<sup>th</sup> Amendment of the Constitution of the United States explicitly directs states not to "deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws"; and

WHEREAS, No COVID-19 vaccine has been officially approved by the Food and Drug Administration (FDA), but the vaccines are sanctioned by the FDA for distribution under an emergency use authorization; and

WHEREAS, Emergency use products are specifically prohibited by federal law, 21 U.S.C. § 360bbb-3, from being mandated: "Authorization for medical products for use in emergencies... require... the option to accept or refuse administration of the product"; and

WHEREAS, The Centers for Disease Control and Prevention (CDC) Advisory Committee on Immunization Practices affirmed in August 2020 that under an emergency use authorization, experimental vaccines shall not be mandatory; and

WHEREAS, Universally accepted codes of medical ethics, including the Nuremberg Code and the Declaration of Helsinki, absolutely prohibit any form of coercion to make individuals participate in a medical experiment; and

WHEREAS, According to the Pew Research Center, approximately 40% of respondents reported that they would opt out of taking experimental COVID-19 vaccines; and

WHEREAS, It is neither feasible nor safe to mandate experimental vaccination considering the large number of patients in the general population who have recovered from COVID-19 and in light of the fact that FDA, Pfizer and Moderna protocols treat patients who have recovered from COVID-19 differently; and

WHEREAS, Public and private entities are considering mandating experimental vaccinations so citizens may enjoy participating in certain public activities and functions of daily American life, including employment, in-person school attendance, public transportation and concert performances; and

WHEREAS, "Vaccine passports," "digital health IDs" and such other required documentations pose substantial risks to personal privacy and equal treatment before the law for all Kansans and United States citizens; and

WHEREAS, According to guidelines established by the CDC's Advisory Committee on Immunization Practices, administration of experimental COVID-19 vaccines does not provide adequate protections for average Americans who are rightly concerned about potential health hazards associated with the inoculations; and

WHEREAS, The public is entitled to receive from their public health officials unbiased, transparent and easily accessible medical information related to all vaccines; and

WHEREAS, The emergency powers assumed by the chief executives of certain states, as well as municipal leaders, violated certain unalienable rights guaranteed under the Constitution of the United States and the Bill of Rights and, therefore, deserve redress; and

WHEREAS, While these legitimate grievances are pursued by the courts of various states, state lawmakers must enshrine certain rights against encroachment by decrees that are not medically or scientifically indicated, such as vaccine mandates, in order to ensure the continuity of our unalienable rights; and

WHEREAS, A COVID-19 Vaccine Bill of Rights, memorialized by this resolution to address COVID-19 vaccine mandates, provides an example for adoption by legislative bodies across the United States, for recognition and upholding by all state attorney generals; and

WHEREAS, The major principles of the COVID-19 Vaccine Bill of Rights shall include a minimum of four of the following six provisions:

1. No person shall be mandated, coerced, forced or pressured to take an experimental or "investigational" medication.

2. No physician or nurse shall be asked by an employer to promote a COVID-19 vaccine.

3. All persons shall determine what is in their own best medical interests without threat to their livelihood or freedom of movement at all times.

4. All persons shall be given access to independent information that will help them determine what is in their own best medical interests. This shall include information regarding the risk of death from contracting COVID-19 alone, based on age or medical condition. This information shall be from independent sources that bear no conflict of interest, unlike pharmaceutical companies and governmental or quasi-governmental institutions, which have inherent conflicts of interest. Such information shall be included but shall not be the sole source of information.

5. Frail and elderly persons shall be entitled to a knowledgeable, independent advocate with medical training to help them determine such person's own best medical interests.

6. Private businesses operating within their jurisdictions shall not require any person to take medication or experimental medication; and

WHEREAS, The technical guidance for employers released by the U.S. Equal Employment Opportunity Commission in December 2020 should not be construed in a way by employers that would undermine an employee's constitutional rights; and

WHEREAS, State legislative bodies must practice oversight of federal assistance, consistent with their powers; and

WHEREAS, Once the COVID-19 Bill of Rights is adopted, out-of-state commercial vendors, including Ticketmaster, would not require venue operators and organizers to mandate the presentation of proof of vaccination from concertgoers and other paying

customers before freely entering a venue on private or public property; and

WHEREAS, Once the COVID-19 Bill of Rights is adopted, vaccinations for K-12 students and teachers would not be required without applying certain clear and consistent exemptions, among them medical and conscience clauses, otherwise, a board of education shall run the risk of forfeiting its authority for such a mandate. Notwithstanding a board of education's mandate to vaccinate their populations, legislators shall not consider it a factor in K-12 education funding; and

WHEREAS, Once the COVID-19 Bill of Rights is adopted, interstate carriers such as airlines and all forms of public transit calling for so-called "vaccine passports," as a condition of entry, would not be allowed to operate with state licensure and waivers. Furthermore, the Kansas legislature calls on federal entities such as the Federal Aviation Administration to issue new rules that shall prohibit COVID-19 vaccine mandates for all carrier crews and customers: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the Kansas legislature memorializes the COVID-19 Vaccine Bill of Rights for the purposes of defending the constitutional liberties of Kansas citizens and outlining a framework of best practices for state and federal agencies to develop during this evolving phase of experimental vaccine administration; and

*Be it further resolved:* That the Secretary of State shall send enrolled copies of this resolution to to the President of the United States, the Speaker of the United States House of Representatives, the Majority Leader of the United States Senate, the Federal Aviation Administration Administrator, the U.S. Equal Employment Opportunity Commission, the U.S. Secretary of Labor and the U.S. Justice Department's Civil Rights Division.

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker Ryckman announced the appointment of Rep. Susan Ruiz to replace Rep. Carlin on Committee on Appropriations on March 17, 2021.

On motion of Rep. Mason, the House adjourned until 11:00 a.m., Wednesday, March 17, 2021.

# Journal of the House

## FORTY-FIFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, March 17, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 123 members present.

Rep. Howard was excused on verified illness.

Rep. Samsel was excused on excused absence by the Speaker.

Prayer by Rep. Ballard:

Let us give thanks.

For the hungry, he is the bread-baker.

For the imprisoned, he is the freedom-giver.

For the lonely, he is the companion-maker.

Who do you say that I am?

For the excluded, he is the table-setter.

For the broken, he is the grace-giver.

For the silenced, he is the word-maker.

Who do you say that I am?

God of grace, we gather here in your presence to remember who we are and to whom we belong. You call prophets to lead us through the wilderness. We ask that you would call us too.

Be our companion on this road.

Where our hope falters, bring your light.

When we grow weary, give us strength.

May it be so and may it be soon, we pray,

Amen

The Pledge of Allegiance was led by Rep. Penn.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2436**, AN ACT concerning health and healthcare; enacting the Kansas medical marijuana regulation act; relating to medical cannabis; providing for the licensure and regulation of medical cannabis, including the manufacture, transportation and sale of medical cannabis; providing certain fines and penalties for violations of the act; relating to health benefits coverage; expanding medical assistance eligibility; directing the

department of health and environment to study certain medicaid expansion topics; adding meeting days to the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight to monitor implementation; making and concerning appropriations for the fiscal years ending June 30, 2021, June 30, 2022, and June 30, 2023; amending K.S.A. 65-28b08, 79-5201 and 79-5210 and K.S.A. 2020 Supp. 21-5703, 21-5705, 21-5706, 21-5707, 21-5709, 21-5710, 23-3203, 38-2269, 39-7,160, 40-3213, 44-501, 44-706, 44-1009, 44-1015 and 65-1120 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2437**, AN ACT concerning income taxation; relating to credits; creating a refundable family caregivers of disabled veterans tax credit, by Committee on Taxation.

**HB 2438**, AN ACT concerning taxation; relating to motor vehicles; allowing up to two motor vehicles owned by resident disabled veterans or surviving spouses thereof to be exempt from the tax imposed by the Kansas retailers' sales tax act, by Committee on Taxation.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Appropriations: **HB 2435**.

Federal and State Affairs: **HB 2434**.

Judiciary: **HCR 5017**.

### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 40**.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2021**, AN ACT concerning the issuance of certain bonds; relating to the construction of a state veterans home; providing for the powers, duties and functions of the Kansas development finance authority and the department of administration, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 2; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Carmichael, Helgerson.  
 Present but not voting: None.  
 Absent or not voting: Howard, Samsel.  
 The bill passed, as amended.

**Sub HB 2094**, AN ACT concerning public safety officers, military personnel and prisoners of war; expanding educational benefits for spouses and dependents of such officers and personnel who are injured while performing service-related duties; amending K.S.A. 75-4364 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 6; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Averkamp, Garber, Helgerson, Jacobs, Lee-Hahn, Poetter.  
 Present but not voting: None.  
 Absent or not voting: Howard, Samsel.  
 The substitute bill passed.

**HB 2248**, AN ACT concerning health and healthcare; relating to local health departments; increasing state financial assistance to such departments under specified circumstances; amending K.S.A. 65-242 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 111; Nays 12; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore,

Woodard, Xu.

Nays: Awerkamp, Burris, Fairchild, French, Garber, Helgerson, Jacobs, Lee-Hahn, Murphy, Penn, Poetter, Rhiley.

Present but not voting: None.

Absent or not voting: Howard, Samsel.

The bill passed.

**HB 2339**, AN ACT concerning elections; expanding the crime of election tampering; amending K.S.A. 2020 Supp. 25-2423 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Carmichael.

Present but not voting: None.

Absent or not voting: Howard, Samsel.

The bill passed, as amended.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Patton in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Patton, Committee of the Whole report, as follows, was adopted:

Recommended that committee report recommending a substitute bill to **HB 2089** be adopted.

Also, roll call was demanded on motion of Rep. Highberger to amend **Substitute for HB 2089**, on page 1, in line 14, after "association" by inserting "or any other evidence-based program"; in line 17, after "association" by inserting "or any other evidence-based program"; in line 22, after "tourism" by inserting "or any other evidence-based program"

On roll call, the vote was: Yeas 47; Nays 75; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Collins, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Helmer, Henderson, Highberger, Hoye, Kuether, Lynn, Miller, Neighbor, Newland,

Ohaebosim, Orr, Ousley, Parker, Poskin, Probst, Rhiley, Ruiz, L., Ruiz, S., Sawyer, Smith, A., Smith, C., Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Mason, Minnix, Moser, Murphy, Neelly, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Ryckman, Sanders, Schreiber, Seiwert, Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Present but not voting: None.

Absent or not voting: Awerkamp, Howard, Samsel.

The motion did not prevail.

Also, roll call was demanded on motion of Rep. Hoye to amend **Sub HB 2089** on page 1, in line 7, by striking all after "emphasizing"; in line 8, by striking all before the comma and inserting "that the onus is on adults to store guns locked, unloaded and separate from ammunition"; in line 9, after "programs" by inserting "demonstrating how a student should respond when encountering an unsupervised firearm"; in line 11, after "program" by inserting "that shall not allow for the use, demonstration or possession of a firearm or live ammunition as a part of such program"; in line 12, by striking "accident" and inserting "the"; also in line 12, after "prevention" by inserting "of unintentional shootings",

Rep. Barker requested a ruling on the amendment being germane to the bill.

The Rules Chair ruled the amendment was germane.

On roll call, the vote was: Yeas 39; Nays 84; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Present but not voting: None.

Absent or not voting: Howard, Samsel.

The motion did not prevail.

Also, on motion of Rep. Stogsdill to re-refer **Sub HB 2089** to Committee on Federal and State Affairs, the motion did not prevail.

Also, on motion of Rep. Bishop to amend **Sub HB 2089**, Rep. Arnberger requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane; and the substitute bill be passed.

Committee report to **HB 2236** be adopted; and the bill be passed as amended.

Committee report to **SB 77** be adopted; and the bill be passed as amended.

Committee report to **SB 178** be adopted; and the bill be passed as amended.

On motion of Rep. Clayton to amend **HCR 5013**, the motion did not prevail and the concurrent resolution be adopted.

## REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2353** be amended on page 1, in line 27, by striking "14" and inserting "15"; by striking all in lines 29 through 31; following line 31, by inserting:

"(1) One representative from a county economic development corporation or local chamber of commerce, appointed by the secretary of commerce;

(2) the executive director of the Kansas African American affairs commission or the executive director's designee;

(3) the executive director of the Kansas Hispanic and Latino American affairs commission or the executive director's designee;"

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

On page 2, in line 38, by striking "and"; in line 39, after "semiquincentennial" by inserting "; and

(7) solicit gifts and donations from private industry, corporations and individuals to support the commission's goals";

On page 3, in line 9, by striking all before "designee" and inserting "state regent of the Kansas society daughters of the American revolution or the state regent's"; in line 12, after the comma by inserting "the secretary of commerce,"; in line 32, after the comma by inserting "the secretary of commerce,";

On page 4, in line 17, by striking the first "of the"; in line 22, by striking the first "of the"; and the bill be passed as amended.

Committee on **Corrections and Juvenile Justice** recommends **HB 2401** be amended on page 2, in line 18, after the third "facility" by inserting ", any juvenile correctional facility or institution as defined in K.S.A. 2020 Supp. 38-2302, and amendments thereto,"; in line 20, after "adult" by inserting "or juvenile"; and the bill be passed as amended.

Committee on **Health and Human Services** recommends **SB 175**, as amended by Senate Committee, be amended on page 3, following line 30, by inserting:

"New Sec. 9. (a) As used in this section:

(1) "Eligible county" means a county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or Wyandotte county.

(2) "Hospital" means the same as defined in K.S.A. 65-425, and amendments thereto.

(3) "Transitional assistance" means any assistance related to changing a hospital's current healthcare delivery model to a model more appropriate for the community that the hospital serves, including, but not limited to: Conducting a market study of healthcare services needed and provided in the community; acquiring and implementing new technological tools and infrastructure, including, but not limited to, telemedicine delivery methods; and acquiring the services of appropriate personnel, including, but not limited to, additional medical residents or individuals trained to be needed healthcare professionals.

(b) (1) There is established the rural hospital innovation grant program to be administered by the secretary of health and environment. The program, and any grant awarded thereunder, shall be for the purpose of strengthening and improving the healthcare system and increasing access to healthcare services in eligible counties to help communities in such counties achieve and maintain optimal health by providing transitional assistance to hospitals in such counties. The secretary may award a rural hospital innovation grant to a county that applies in accordance with this section.

(2) The secretary of health and environment may award a grant under this section only if the amount of state moneys to be awarded in the grant has been matched by private stakeholders, including hospital foundations or other organizations, contributing to the secretary for the program, on a basis of \$2 of private stakeholder moneys for every \$1 of state moneys. The secretary of health and environment may receive moneys by bequest, donation or gift to fulfill the public-private match of moneys required under this paragraph. Any such moneys received shall be remitted to the state treasurer in accordance with 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 rural hospital innovation grant fund. A private stakeholder may certify to the secretary of health and environment that an amount of money is dedicated to the rural hospital innovation grant program. Such certified dedicated moneys shall remain with the private stakeholder until such time as the grant is awarded, and the secretary shall count such certified dedicated moneys to fulfill the public-private match required under this paragraph.

(3) A private stakeholder who has contributed moneys or certified dedicated moneys to the secretary of health and environment may specify a county to receive a grant using such private stakeholder's moneys. If the secretary does not award a grant to the specified county in the same fiscal year as such request, the secretary shall return the amount of contributed moneys to the private stakeholder and any such certification shall lapse.

(4) Prior to applying for a rural hospital innovation grant, any eligible county may enter into memorandums of understanding and other necessary agreements with private stakeholders and other eligible counties.

(5) The board of county commissioners of an eligible county, or the board's designee, may apply to the secretary for a rural hospital innovation grant in the form and manner prescribed by the secretary of health and environment. Such application

shall include:

(A) A description of the hospital for which the grant moneys will be expended, including the name and location of the hospital;

(B) a statement of the amount of grant moneys requested;

(C) a description of the needs of the hospital, the transitional assistance for which the grant moneys will be expended and how such transitional assistance will meet the stated needs; and

(D) any other information that the secretary deems necessary to administer this section.

(6) Prior to awarding any grant moneys to an eligible county under this section, the secretary shall enter into a written agreement with the county requiring that the county:

(A) Expend any such grant moneys to provide transitional assistance to a hospital in the eligible county, as approved by the secretary;

(B) not later than one year after any such grant moneys are awarded, report to the secretary detailing the effect that such grant is having on health and other outcomes in the eligible county and the affected community;

(C) repay all awarded grant moneys to the secretary if the county fails to satisfy any material term or condition of the grant agreement; and

(D) any other terms and conditions that the secretary deems necessary to administer this section.

(c) (1) There is established in the state treasury the rural hospital innovation grant fund to be administered by the secretary of health and environment. All moneys credited to the fund shall be used only for purposes related to the rural hospital innovation grant program. All expenditures from the 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 secretary of health and environment or the secretary's designee.

(2) On July 1, 2021, the director of accounts and reports shall transfer \$10,000,000 from the state general fund to the rural hospital innovation grant fund.

(d) The secretary of health and environment shall adopt rules and regulations as necessary to implement and administer this section.

(e) (1) On or before October 1 of each year, for each rural hospital innovation grant awarded under this section, the county shall prepare and submit to the secretary of health and environment a report describing: The amount and stated purposes of any awarded grant moneys; the fulfillment of the terms and conditions of the grant agreement; and the transitional assistance upon which the moneys have been spent.

(2) On or before February 1 of each year, the secretary shall compile the information received under this subsection and submit a report to the governor and the legislature including such information and a description of and reasoning for any applications for a rural hospital innovation grant that the secretary has denied.

(f) (1) The rural hospital innovation grant program shall expire on June 30, 2025.

(2) On July 1, 2025:

(A) The director of accounts and reports shall transfer all moneys in the rural hospital innovation grant fund to the state general fund;

(B) all liabilities of the rural hospital innovation grant fund shall be transferred to and imposed on the state general fund; and

(C) the rural hospital innovation grant fund shall be abolished.";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the semicolon by inserting "providing grant assistance to hospitals in certain counties; prescribing powers, duties and functions of the secretary of health and environment related thereto; establishing the rural hospital innovation grant program and rural hospital innovation grant fund;"; and the bill be passed as amended.

Committee on **Local Government** recommends **SB 118** be passed.

Committee on **Transportation** recommends **SB 26** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 26," as follows:

"House Substitute for SENATE BILL NO. 26

By Committee on Transportation

"AN ACT concerning roads and highways; designating a portion of K-7 as the Senator Bud Burke memorial highway; designating a portion of United States highway 77 as the CPL Allen E Oatney and SP4 Gene A Myers memorial highway; amending K.S.A. 68-1022 and repealing the existing section."; and the substitute bill be passed.

(**H Sub for SB 26** was thereupon introduced and read by title.)

Committee on **Transportation** recommends **SB 67** be amended on page 6, in line 18, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 69** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 69," as follows:

"House Substitute for SENATE BILL NO. 69

By Committee on Transportation

"AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the love, Chloe foundation license plate; establishing a fee for firefighter license plates; amending K.S.A. 2020 Supp. 8-1,155 and repealing the existing section."; and the substitute bill be passed.

(**H Sub for SB 69** was thereupon introduced and read by title.)

Committee on **Transportation** recommends **SB 95** be amended on page 3, in line 5, after "(2)" by inserting "(A)"; in line 31, after the period by inserting:

"(B)";

Also on page 3, in line 43, after the period by inserting:

"(C)"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 99** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 99," as follows:

"House Substitute for SENATE BILL NO. 99

By Committee on Transportation

"AN ACT concerning motor vehicles; relating to the vehicle dealers and manufacturers licensing act; increasing the bonding requirement for vehicle dealers; providing for display show licenses; allowing for new vehicle dealers and manufacturers to participate in display shows; amending K.S.A. 2020 Supp. 8-2404 and 8-2435 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 8-2435, as amended by section 1 of 2021 Senate Bill No. 33."; and the substitute bill be passed.

(**H Sub for SB 99** was thereupon introduced and read by title.)

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker Ryckman announced the appointment of Rep. Carlin to replace Rep. S. Ruiz on Committee on Appropriations effective immediately.

#### **REPORT ON ENGROSSED BILLS**

**HB 2021, HB 2339** reported correctly engrossed March 16, 2021.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Thursday, March 18, 2021.

# Journal of the House

FORTY-SIXTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, March 18, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 122 members present.

Rep. Howard was excused on verified illness.

Reps. Samsel and Wasinger were excused on excused absence by the Speaker.

Prayer by Rep. Bergquist:

Rep. Bergquist sang "The Lord's Prayer."

The Pledge of Allegiance was led by Rep. Schreiber.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2439**, AN ACT concerning crimes, punishment and criminal procedure; creating the crime of unauthorized disclosure of a child's sexual orientation or gender identity, by Committee on Federal and State Affairs.

**HB 2440**, AN ACT concerning property taxation; relating to exemptions; creating a property tax exemption for homestead property of certain retired and disabled veterans, by Committee on Taxation.

**HB 2441**, AN ACT concerning the Kansas emergency management act; relating to an award of compensation; requiring payment by governmental entities commandeering or using property; amending K.S.A. 48-933 and repealing the existing section, by Committee on Taxation.

**HB 2442**, AN ACT concerning high school work-based learning programs; liability for students and business, municipal and postsecondary educational institution program providers; amending K.S.A. 72-18,101 and 72-18,102 and repealing the existing sections, by Committee on Appropriations.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2436**.

Taxation: **HB 2437**, **HB 2438**.

## MESSAGES FROM THE SENATE

Announcing passage of **HB 2227**.

Announcing passage of **HB 2078**, as amended; **Sub HB 2066**, as amended.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Hawkins, **HR 6012**, by Reps. Ryckman, Hawkins and Sawyer, as follows, was introduced and adopted:

**HR 6012**—A RESOLUTION providing for changes in seat assignments in the House of Representatives during the 2021 legislative session.

A RESOLUTION relating to assignments of seats of the House of Representatives.

*Be it resolved by the House of Representatives of the State of Kansas:* That the members of the 2021 regular session of the legislature shall occupy the same seats assigned pursuant to 2021 House Resolution No. 6002 with the following exceptions: Carpenter, B. 43, Clayton 14, Collins 94, Donohoe 96, Fairchild 88, French 89, Garber 110, Helmer 111, Howard 39, Hoye 28, Jacobs 107, Lee-Hahn 105, Lynn 65, Mason 118, Moser 100, Neelly 95, Newland 91, Parker 72, Proctor 93, Rhiley 109, Samsel 42, Sanders 92, Waggoner 90, Xu 29.

Notwithstanding the foregoing, pursuant to House rules 503 and 3302, the Speaker may designate temporary assigned seats of members of the House in one or more galleries and other areas of the chamber as part of the House chamber.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Featherston, **HR 6013**, as follows, by Representatives Curtis, Amyx, Arnberger, Baker, Ballard, Barker, Bergquist, Burroughs, Byers, Carlin, W. Carpenter, Clark, Concannon, Corbet, Croft, Day, Dodson, Eplee, Esau, Estes, Featherston, Finney, Francis, Haswood, Helmer, Henderson, Hoffman, Hoheisel, Howe, Hoye, Humphries, Jennings, S. Johnson, T. Johnson, Kuether, Landwehr, Lee-Hahn, Long, Moser, Neelly, Neighbor, Orr, Ousley, Parker, Poskin, Probst, Proctor, Ralph, L. Ruiz, Schreiber, Stogsdill, Tarwater, Thomas, Thompson, Vaughn, Victors, Wasinger, Williams, Winn, Wolfe Moore and Xu was introduced and adopted:

**HR 6013**—A RESOLUTION recognizing Music in our Schools Month.

A RESOLUTION designating March 2021 as Music in Our Schools Month and recognizing the importance of arts education in all Kansas schools.

WHEREAS, The study of the arts is essential to gaining a complete education; and

WHEREAS, Arts education provides a competitive edge in bringing about successful educational reform. It engages students in individual and group activities and develops their creative, problem-solving, critical and evaluative skills; and

WHEREAS, Arts education helps students acquire production and performance skills in art, music and theater, as well as an understanding of history and culture; and

WHEREAS, Arts associations are dedicated to maintaining and improving arts programs for all students, regardless of their socio-economic status or abilities; and

WHEREAS, Arts teachers have gone through extraordinary lengths to stay connected with students during the COVID-19 pandemic, despite performance and rehearsal restrictions: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we recognize and commend art, music and theater teachers for their efforts to enhance the lives of students throughout Kansas; and

*Be it further resolved:* That we hereby designate March 2021 as Music in Our Schools Month and recognize the importance of arts in all Kansas schools; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Pam Curtis.

### PERSONAL PRIVILEGE

Reps. Thomas and Featherston came forward and expressed their appreciation for Arts Education and read **HR 6013** in recognition of Music in our Schools Month.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**Sub HB 2089**, AN ACT concerning education; relating to firearms; standardizing firearm safety education training programs in school districts; establishing the Roy'Al act, was considered on final action.

On roll call, the vote was: Yeas 75; Nays 47; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anderson, Arnberger, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Seiwert, Smith, A., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Waymaster, K. Williams.

Nays: Alcala, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Dodson, M., Featherston, Finney, Garber, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Newland, Ohaebosim, Orr, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Schreiber, Smith, C., Stogsdill, Vaughn, Victors, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Samsel, Wasinger.

The substitute bill passed.

### EXPLANATIONS OF VOTE

MR. SPEAKER: The only study done on Eddie the Eagle Program shows it's not effective. Only one out of ten could properly respond to the questions asked after instruction. I don't want young children becoming familiar with guns. When they are familiar they become more sure, more bold, more curious and more confident. I don't want to mix schools and guns. Gun familiarity should be determined by moms and dads. Parents must decide whether their child should be taught about guns and when. I vote NO on **Substitute for HB 2089**. — VIC MILLER, JOHN ALCALA, KC OHAEBOSIM, ELIZABETH BISHOP, JENNIFER DAY, JOHN CARMICHAEL

MR. SPEAKER: I vote "NO" on **Substitute for HB 2089**. I do not vote no because I am against gun safety or teaching our youth gun safety. I vote "NO" because we have too many students failing or close to failing in our schools. Some of that is because we are not able to have enough classroom time with them. Gun safety education should be

handled in our FFA, 4-H or Gun Clubs where any student could join and take Gun Safety classes. If this is truly voluntary, it should be in the extracurricular programs. I spent 16 years on our local school board and know how tight our class time schedules are. — JOE NEWLAND, CHARLES E. SMITH

MR. SPEAKER: I vote NO on **Substitute for House Bill 2089**. I believe that standardizing the National Rifle Association's curriculum undermines our elected officials on school board and the State Board of Education. Our schools should be allowed the flexibility to choose a program that is best suited for their students. Without this flexibility, our children would be mandated to adhere to a program without any input from the schools, diminishing local control. Without the addition of amendments offered by House Democrats that would have addressed many of these concerns, I cannot in good faith vote in support of this bill. — JIM GARTNER, CINDY NEIGHBOR, VIRGIL WEIGEL, GAIL FINNEY

MR. SPEAKER: I vote NO on **Substitute for House Bill 2089**. Standardizing the National Rifle Association's curriculum for K-8 students goes too far and undermines our elected officials on the State Board of Education. Adults bear the responsibility of protecting children from the dangers of unsupervised or unsecured guns. I cannot in good faith vote in support of this bill without a provision that prohibits the use, demonstration, or possession of a firearm or live ammunition as part of the program. Guns do not belong in Kindergarten classrooms. — JO ELLA HOYE, BRODERICK HENDERSON, STEPHANIE CLAYTON, RUI XU, SUSAN RUIZ, STEPHANIE BYERS, LINDSAY VAUGHN

MR. SPEAKER: I vote NO on **Substitute for House Bill 2089**. Dictating which curriculum schools should use goes too far and undermines our elected officials on the State Board of Education. Adults bear the responsibility of protecting children from the dangers of unsupervised or unsecured guns. I cannot in good faith vote in support of this bill without a provision that prohibits the use, demonstration, or possession of a firearm or live ammunition as part of the program. Guns do not belong in Kindergarten classrooms. — LINDA FEATHERSTON

**HB 2236**, AN ACT concerning financial institutions; relating to appraisals; sales comparison approach; unique residential real property in rural counties, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A.,

Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Samsel, Wasinger.

The bill passed, as amended.

**HCR 5013**, A CONCURRENT RESOLUTION urging the United States Congress to propose the "Keep Nine" amendment to the United States Constitution, was considered on final action.

On roll call, the vote was: Yeas 84; Nays 38; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgeson, Henderson, Highberger, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Samsel, Wasinger.

The resolution was adopted.

**SB 77**, AN ACT concerning health professions and practices; relating to audiologists and speech-language pathologists; licensure; enacting the audiology and speech-language pathology interstate compact, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 3; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgeson, Helmer, Henderson, Highberger, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E.,

Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Fairchild, Highland, Jacobs.

Present but not voting: None.

Absent or not voting: Howard, Samsel, Wasinger.

The bill passed, as amended.

**SB 178**, AN ACT concerning financial institutions; relating to the state banking code; trust companies; providing for charter conversions; amending K.S.A. 2020 Supp. 9-803, 9-808, 9-809 and 9-1717 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Helgerson.

Present but not voting: None.

Absent or not voting: Howard, Samsel, Wasinger.

The bill passed, as amended.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Ralph in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Ralph, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **HB 2415** be adopted.

The motion to recommend the bill favorably for passage did not prevail.

Committee report to **SB 170** be adopted, and the bill be passed as amended.

### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

The following resolution was introduced and read by title:

On emergency motion of Rep. Hawkins pursuant to House Rule 2311, **SB 170** was advanced to Final Action on Bills and Concurrent Resolutions.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**SB 170**, AN ACT concerning public health; relating to the department of health and environment, division of public health; powers, duties and functions of the advisory committee on trauma and the statewide trauma system regional council; continuing in existence the authority to conduct closed session meetings and keep records privileged; amending K.S.A. 75-5664 and 75-5665 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 98; Nays 23; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Anderson, Amberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Finney, Francis, French, Garber, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Orr, Ousley, Owens, Parker, F. Patton, Penn, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Tarwater, Thomas, Thompson, Toplikar, Turner, Victors, Waggoner, Waymaster, Wheeler, K. Williams, Winn, Wolfe Moore.

Nays: Amyx, Bishop, Byers, Carlin, Carmichael, Clayton, Coleman, Day, Featherston, Gartner, Highberger, Kuether, Lee-Hahn, Ohaebosim, Poetter, Poskin, Ruiz, S., Stogsdill, Sutton, Vaughn, Weigel, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Miller, Samsel, Wasinger.

The bill passed, as amended.

**REPORTS OF STANDING COMMITTEES**

Committee on **Education** recommends **SB 55** be amended on page 5, in line 6, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Education** recommends **SB 64** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Elections** recommends **HCR 5015** be amended on page 1, in line 7, by striking "The For the People Act of 2021 impedes" and inserting "H.R.1 and S.1 impede"; in line 9, by striking "The For the People Act of 2021 imposes" and inserting "H.R.1 and S.1 impose"; in line 11, by striking "The For the People Act of 2021 intrudes" and inserting "H.R.1 and S.1 intrude"; in line 13, by striking "The For the People Act of 2021 prevents" and inserting "H.R.1 and S.1 prevent"; in line 16, by striking "The For the People Act of 2021 imposes" and inserting "H.R.1. and S.1 impose"; in line 18, by striking "The For the People Act of 2021 expands" and inserting "H.R.1 and S.1 expand"; in line 22, by striking "The For the People Act of 2021 reduces" and inserting "H.R.1 and S.1 reduce"; in line 24, by striking "The For the People Act of 2021 blatantly undermines" and inserting "H.R.1 and S.1 blatantly undermine"; in line 27, by striking "The For the People Act of 2021 conflicts" and inserting "H.R.1 and S.1 conflict"; in line 29, by striking "The For the People Act of

2021 forces" and inserting "H.R.1 and S.1 force"; in line 32, by striking "The For the People Act of 2021 dilutes the bi-partisan" and inserting "H.R.1 and S.1 dilute the bipartisan"; in line 34, by striking "The For the People Act of 2021 prohibits" and inserting "H.R.1 and S.1 prohibit"; in line 36, by striking "The For the People Act of 2021 sacrifices" and inserting "H.R.1 and S.1 sacrifice";

On page 2, in line 2, by striking "The For the People Act of 2021 makes" and inserting "H.R.1 and S.1 make"; in line 6, by striking "The For the People Act of 2021 forces" and inserting "H.R.1. and S.1 force"; in line 9, by striking "The For the People Act of 2021 makes" and inserting "H.R.1 and S.1 make"; and the resolution be adopted as amended.

Committee on **Energy, Utilities and Telecommunications** recommends **HB 2329** be amended on page 1, by striking all in lines 34 through 36;

On page 2, by striking all in lines 1 through 4; in line 5, by striking "and 66-1,151 are" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking all after the semicolon; in line 4, by striking all before "amending"; also in line 4, by striking "and 66-1,151"; in line 5, by striking "sections" and inserting "section"; and the bill be passed as amended.

Committee on **Energy, Utilities and Telecommunications** recommends **SB 24**, as amended by Senate Committee, be amended on page 1, in line 12, before the period by inserting "or propane";

Also on page 1, in the title, in line 2, before "natural" by inserting "the retail provision of"; in line 3, by striking "utility service" and inserting "and propane"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2406** be amended on page 1, in line 34, by striking "10" and inserting "9";

On page 4, in line 32, by striking "10" and inserting "9";

On page 5, in line 37, by striking "10" and inserting "9"; in line 42, by striking "10" and inserting "9";

On page 6, in line 32, by striking "10" and inserting "9"; in line 39, by striking "10" and inserting "9";

On page 7, in line 1, by striking "10" and inserting "9"; in line 19, by striking "10" and inserting "9"; in line 26, by striking "10" and inserting "9"; in line 29, by striking "10" and inserting "9"; in line 36, by striking "10" and inserting "9"; in line 41, by striking "10" and inserting "9";

On page 8, in line 26, by striking "10" and inserting "9"; in line 33, by striking "10" and inserting "9"; in line 37, by striking "10" and inserting "9";

On page 9, in line 10, by striking "10" and inserting "9"; in line 16, by striking "10" and inserting "9"; in line 20, by striking "10" and inserting "9"; and the bill be passed as amended.

Committee on **Insurance and Pensions** recommends **SB 86** be amended on page 11, in line 27, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **K-12 Education Budget** recommends **SB 63** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 63," as follows:

"House Substitute for SENATE BILL NO. 63

By Committee on K-12 Education Budget

"AN ACT concerning education; relating to student attendance; enacting the back to school act; requiring school districts to provide for a full-time, in person attendance option in school year 2020-2021."; and the substitute bill be passed.

(**H Sub for SB 63** was thereupon introduced and read by title.)

## **REPORT OF STANDING COMMITTEE**

Your Committee on Calendar and Printing recommends on requests for resolutions and certificates that

**Request No. 26**, by Representative Jim Gartner, congratulating Donald Kuckelman on his 90th Birthday.

**Request No. 27**, by Representative T. Johnson, Neely, Proctor, French, Ellis and Croft commending Steve and Rosie Williams on their work to support the Military veterans across the State of Kansas who suffer from the mental and emotional trauma of combat and military service.

**Request No. 28**, by Representative Barb Wasinger, commending Annie Wasinger for receiving the national Preidental Spirit of Community Award.

**Request No. 29**, by Representative Lance Neely and Tim Johnson, congratulating Rebekah Farrow, Tonganoxie High School for winning the Kansas 4A State Power Lifting individual championship for 2021.

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hawkins, the committee report was adopted.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were introduced and read by title:

**HB 2443**, AN ACT concerning public employees; relating to hiring and promotion preferences; providing for a preference for persons with a disability, by Committee on Appropriations.

**HB 2444**, AN ACT concerning gaming; relating to the Kansas lottery act; Kansas lottery, rules and regulations; authorizing sports wagering; creating the white collar crime fund; amending K.S.A. 74-8702, 74-8710, 74-8711, 74-8716 and 79-4806 and K.S.A. 2020 Supp. 21-6403 and 21-6507 and repealing the existing sections, by Committee on Federal and State Affairs.

**COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Finch announced the appointment of Rep. Hawkins to replace Rep. Penn on Committee on Federal and State Affairs on March 19 and March 22.

Also, the appointment of Rep. Highland to replace Rep. Arnberger on Committee on Federal and State Affairs on March 22.

Also, the appointment of Rep. Poskin to replace Rep. Miller on Committee on Commerce, Labor and Economic Development on March 18.

**REPORT ON ENGROSSED BILLS**

**Sub HB 2089, HB 2236** reported correctly engrossed March 17, 2021.

On motion of Rep. Hawkins the House adjourned pro forma until 8:30 a.m. on Friday, March 19, 2021.

# Journal of the House

FORTY-SEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, March 19, 2021, 8:30 a.m.

The House met session pro forma pursuant to adjournment with Speaker Ryckman in the chair.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2445**, AN ACT concerning property taxation; relating to exemptions; providing for an exemption for health clubs; amending K.S.A. 79-201 and repealing the existing section, by Committee on Taxation.

**HB 2446**, AN ACT concerning taxation; relating to sales and compensating use tax; imposing tax on sales of digital property and subscription services; requiring the collection and remittance for sales, compensating use and transient guest taxes and prepaid wireless 911 fees made on marketplace facilitator platforms; providing nexus for certain retailers and removing click-through nexus provisions; relating to income tax; providing for addition and subtraction modifications for the treatment of global intangible low-taxed income, business interest, capital contributions, business meals and payment protection program loans and expenses; expanding the expense deduction for income tax taxpayers and calculating the deduction amount; providing a refundable food sales tax credit; discontinuing the nonrefundable food sales tax credit; increasing the Kansas standard deduction; providing an exemption of unemployment or other compensation income attributable as a result of identity fraud; amending K.S.A. 79-32,117, 79-32,119, 79-32,138, 79-32,143a, 79-32,271, 79-3602 and 79-3702 and K.S.A. 2020 Supp. 79-3603 and repealing the existing sections, by Committee on Taxation.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce, Labor and Economic Development: **HB 2442**, **HB 2443**.

Federal and State Affairs: **HB 2439**, **HB 2444**.

Taxation: **HB 2440**, **HB 2441**.

## MESSAGES FROM THE SENATE

Announcing passage of **SB 37**, **SB 208**.

The Senate nonconcur in House amendments to **SB 77**, requests a conference and has appointed Senators Hilderbrand, Gossage and Pettey as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 170**, requests a conference and has appointed Senators Hilderbrand, Gossage and Pettey as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 178**, requests a conference and has appointed Senators Longbine, Fagg and Pittman as conferees on the part of the Senate.

The Senate concurs in House amendments to **SB 21**.

Announcing passage of **HB 2063, HB 2124**.

Announcing passage of **Sub SB 267**.

#### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bills were thereupon introduced and read by title:

**SB 37, SB 208, Sub SB 267.**

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Monday, March 22, 2021.

# Journal of the House

## FORTY-EIGHTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, March 22, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Finch in the chair.

The roll was called with 121 members present.

Reps. Howard and Samsel were excused on verified illness.

Reps. Alcalá and Aramberger were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Creator God,  
thank You for this new week – this new day.  
We ask that You guide us in Your way.  
Spring has sprung  
and the madness of March has begun.  
As for basketball madness, done in are most of our brackets  
which may be causing quite the racket.  
As for our legislative transactions,  
may we not fear the reactions.  
Help each one to lean upon You  
for the solutions we pursue.  
We need Your wisdom and guidance  
to know when to speak and when to be silent.  
Help us not to be like sheep and go astray  
but to listen to Your advice and go Your way.  
This, in Your Name I pray,  
Amen.

The Pledge of Allegiance was led by Rep. Poskin.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Appropriations: **SB 267**.

Education: **SB 208**.

Insurance and Pensions: **SB 37**.

Taxation: **HB 2445, HB 2446**.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 77**.

Speaker pro tem Finch thereupon appointed Reps. Landwehr, Eplee and Parker as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 170**.

Speaker pro tem Finch thereupon appointed Reps. Landwehr, Eplee and Parker as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 178**.

Speaker pro tem Finch thereupon appointed Reps. Kelly, Hoheisel and Xu as conferees on the part of the House.

**CONSENT CALENDAR**

No objection was made to **SB 64** appearing on the Consent Calendar for the first day.

**MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Patton, the House concurred in Senate amendments to **HB 2078**, AN ACT concerning criminal procedure; relating to discharge of persons not brought promptly to trial; suspension of statutory deadlines; providing guidelines for prioritizing trials; requiring the office of judicial administration to prepare and submit a report to the legislature in 2022 and 2023; amending K.S.A. 2020 Supp. 22-3402 and repealing the existing section.

On roll call, the vote was: Yeas 114; Nays 7; Present but not voting: 0; Absent or not voting: 4.

Yeas: Amyx, Anderson, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Nelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Fairchild, French, Garber, Helmer, Houser, Jacobs, Murphy.

Present but not voting: None.

Absent or not voting: Alcalá, Arnberger, Howard, Samsel.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Burris in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Burris, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 118** be passed.

Committee report recommending a substitute bill to **SB 99** be adopted; and **H Sub for SB 99** be passed.

Committee report recommending a substitute bill to **SB 63** be adopted; and **H Sub for SB 63** be passed.

Committee report recommending a substitute bill to **SB 26** be adopted; and **H Sub for SB 26** be passed.

Committee report to **HB 2401** be adopted; and the bill be passed as amended.

Committee report to **SB 67** be adopted; and the bill be passed as amended.

Committee report to **SB 95** be adopted; and the bill be passed as amended.

#### REPORTS OF STANDING COMMITTEES

Committee on **Appropriations** recommends **HB 2397** be amended by substituting a new bill to be designated as "Substitute for HOUSE BILL NO. 2397," as follows:

"Substitute for HOUSE BILL NO. 2397

By Committee on Appropriations

"AN ACT making and concerning appropriations for fiscal years ending June 30, 2021, June 30, 2022, June 30, 2023, and June 30, 2024, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 75-4209, 75-6702 and 75-6706 and K.S.A. 2020 Supp. 2-223, 12-1775a, 12-5256, 55-193, 65-180, 72-5462, 74-50,107, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections."; and the substitute bill be passed.

(Sub **HB 2397** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **HB 2122** be passed.

Committee on **Judiciary** recommends **HB 2150** be amended by adoption of the amendments recommended by the House Committee on Children and Seniors as reported in the Journal of the House on February 10, 2021, and the bill, as printed with amendments by House Committee, be passed as amended.

Committee on **Judiciary** recommends **SB 58** be amended on page 4, in line 29, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 103** be amended on page 6, in line 7, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 107** be amended on page 37, in line 38, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Taxation** recommends **HB 2272** be passed.

Committee on **Transportation** recommends **SB 36**, as amended by Senate Committee, be amended on page 2, in line 25, after the stricken material by inserting "or"; in line 37, by striking all after "patrol"; by striking all in lines 38 through 40; in line 41, by striking all before the period;

On page 3, in line 26, by striking all after "(g)"; by striking all in lines 27 through 43;

On page 4, by striking all in lines 1 through 7; in line 8, by striking all before the period and inserting "An employee of a salvage vehicle pool, as defined by K.S.A. 8-2401, and amendments thereto, who submits an application to the Kansas highway patrol pursuant to this section for six or more vehicles shall have such vehicles checked by the Kansas highway patrol within five business days of the date the application was submitted, if the salvage vehicle pool submitting the application sells at least 2,000 vehicles combined per year from the salvage vehicle pool's licensed locations in Kansas as reported to the Kansas department of revenue. The salvage vehicle pool shall provide the Kansas highway patrol with the address of the salvage vehicle pool facility and the approximate location within the facility of the vehicles to be checked and shall clearly mark the vehicles that are to be checked. The salvage vehicle pool shall provide enclosed office space for use by the Kansas highway patrol during such checks of multiple vehicles. The employees of the salvage vehicle pool shall not be required to move the vehicles within the facility for purposes of the checks. In the event that the Kansas highway patrol is unable to complete the checks required by this subsection within five business days, the Kansas highway patrol shall notify the salvage vehicle pool of the reasons for such delay and the date when such vehicle checks will begin, except that the date shall be not later than 10 business days from the date the application for such checks was submitted";

On page 1, in the title, in line 1, by striking "allowing"; by striking all in line 2; in line 3, by striking all before the semicolon and inserting "requiring the Kansas highway patrol to make multiple vehicle checks within a set time period upon application by a salvage vehicle pool"; and the bill be passed as amended.

## **REPORT ON ENROLLED RESOLUTIONS**

**HR 6012, HR 6013** reported correctly enrolled and properly signed on March 22, 2021.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Tuesday, March 23, 2021.

# Journal of the House

## FORTY-NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, March 23, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Finch in the chair.

The roll was called with 123 members present.

Reps. Howard and Neighbor were excused on verified illness.

Excused later: Rep. Garber.

Prayer by Chaplain Brubaker:

Almighty God,  
In You we place our trust – in You we find our refuge.  
Apart from You, there is nothing that we can do or claim  
that be truly called good.  
Send Your spirit and bring order to the  
disputes and debates that may surround our leaders.  
Shed Your light in the darkness of alienation and division.  
Remind us that You have created us in Your image  
and this is what we should see reflected  
in the lives of one another.  
As our leaders work together in this place,  
may they be cognizant of their stewardship of Your gifts  
that You have given them.  
I pray in Christ's Name, Amen.

The Pledge of Allegiance was led by Rep. Dodson.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2447**, AN ACT concerning securities; relating to the securities act fee fund; terminating the transfer of remaining unencumbered moneys in such fund over \$50,000 to the state general fund; amending K.S.A. 2020 Supp. 17-12a601 and repealing the existing section, by Committee on Taxation.

### CONSENT CALENDAR

No objection was made to **SB 64** appearing on the Consent Calendar for the second day.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2401**, AN ACT concerning the department of corrections; authorizing the secretary of corrections to enter agreements for public-private partnerships for projects for new or renovated buildings at correctional institutions for education, skills-building and spiritual needs programs; establishing a nonprofit corporation to receive gifts, donations, grants and other moneys and engage in fundraising projects for funding such projects; amending K.S.A. 75-3739 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Neighbor.

The bill passed, as amended.

**H Sub for SB 26**, AN ACT concerning roads and highways; designating a portion of K-7 as the Senator Bud Burke memorial highway; designating a portion of United States highway 77 as the CPL Allen E Oatney and SP4 Gene A Myers memorial highway; amending K.S.A. 68-1022 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A.,

Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Neighbor.

The substitute bill passed.

#### EXPLANATION OF VOTE

MR SPEAKER: I vote “Yes” on **House Sub for SB 26**. Honoring the memory of U.S. Army Vietnam veterans, Corporal Allen E. Oatney and Specialist 4<sup>th</sup> Class Gene Allen Myers in the naming of a rural segment of U.S. Highway 77 in District 106, which I have the privilege to represent in this body, is a small gesture compared to the **price paid by their lives** in service to our national freedom. I am privileged to cast my “Yes” vote for this concise and important piece of legislation. – LISA MOSER

**H Sub for SB 63**, AN ACT concerning education; relating to student attendance; enacting the back to school act; requiring school districts to provide for a full-time, in person attendance option in school year 2020-2021, was considered on final action.

On roll call, the vote was: Yeas 77; Nays 46; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Huebert, Humphries, Jacobs, Jennings, T. Johnson, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Dodson, M., Featherston, Finney, French, Gartner, Haswood, Helgerson, Henderson, Highberger, Howe, Hoye, S. Johnson, Kelly, Kuether, Miller, Newland, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sanders, Sawyer, Stogsdill, Vaughn, Victors, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Neighbor.

The substitute bill passed.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote NO on **House Substitute for Senate Bill 63**. We have already voted down **Senate Bill 235** for the same reasons that I will be voting this legislation down. The changes to this bill, applying only for the current school year, does not change the fact that we are still overstepping our legislative boundaries and restricting local control of our elected school officials. Teachers have been getting vaccinated and children are returning to the classrooms that have been transformed to provide a safe

learning environment. This body needs to be focusing on helping our school districts during this transitional phase rather than drawing moot points with unnecessary legislation. – TOM SAWYER, BRANDON WOODARD, AARON COLEMAN, ELIZABETH BISHOP, JOHN CARMICHAEL, JIM GARTNER, PONKA-WE VICTORS, RUI XU, SYDNEY CARLIN, CHRISTINA HASWOOD, TOM BURROUGHS, JERRY W. STOGSDILL, LOUIS E. RUIZ, PAM CURTIS, VALDENIA WINN, LINDA FEATHERSTON

MR. SPEAKER: I vote no on **House Substitute for Senate Bill 63**. This bill is silent on whether schools could use fully remote learning for an inclement weather day or disaster instead of closing school. Exactly how the State Board and local boards would interpret and apply this new provision in relation to their constitutional and statutory authority is unknown. If the bill is enacted, school districts will lose flexibility to provide fully remote learning days for all students from March 31 to the end of the year. We should not impose this restriction on schools as they near the end of the most difficult school year I've experienced in my lifetime. – JO ELLA HOYE

MR. SPEAKER: I almost supported **H Sub for SB 63**. Children in my legislative district returned to full-time, in-person school, so it seemed benign. However, the invective against public schools expressed during debate yesterday show the motivation behind this legislation are nefarious.

The contents of **H Sub for SB 63** were previously rejected by a bi-partisan majority of House members. A process is underway, to safely return Kansas schools to in-person learning. We must reopen schools AND protect our children and educators. Feigning concern for the plight of Kansas families while striking at the heart of the very institutions upon which they depend is in poor taste. I vote NO. – STEPHANIE CLAYTON

MR. SPEAKER: Ideally parents and teachers voicing their concerns over policies to their local school boards can bring an agreeable resolution for all. We now know it is possible to have in-person school safely, we know many students and families are struggling without it, and their needs are not being addressed in a timely manner despite parents asking for this. I hope that passing this bill will strongly encourage those districts not providing full-time in-person learning for all students who want that option to make it available for the remainder of this school year; therefore, I VOTE YES on **H Sub for SB 63**. – CHARLOTTE ESAU, TIMOTHY JOHNSON

**SB 67**, AN ACT concerning motor vehicles; relating to all-terrain vehicles and recreational off-highway vehicles; expanding the definitions thereof; amending K.S.A. 2020 Supp. 8-126 and 8-1402a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 99; Nays 24; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Anderson, Amberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Ellis, Eplee, Esau, Estes, Fairchild, Finch, Finney, Francis, French, Garber, Hawkins, Henderson, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Ohaebosim, Orr, Owens, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L.,

Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Victors, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Woodard.

Nays: Amyx, Bishop, Byers, Carlin, Carmichael, Day, Donohoe, Featherston, Gartner, Haswood, Helgerson, Helmer, Highberger, Huebert, Kuether, Miller, Ousley, Parker, Ruiz, S., Vaughn, Weigel, Winn, Wolfe Moore, Xu.

Present but not voting: None.

Absent or not voting: Howard, Neighbor.

The bill passed, as amended.

**SB 95**, AN ACT concerning motor vehicles; relating to odometer requirements upon transfer of vehicle; exempting certain odometer certification requirements; amending K.S.A. 2020 Supp. 8-135 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Neighbor.

The bill passed, as amended.

**H Sub for SB 99**, AN ACT concerning motor vehicles; relating to the vehicle dealers and manufacturers licensing act; increasing the bonding requirement for vehicle dealers; providing for display show licenses; allowing for new vehicle dealers and manufacturers to participate in display shows; amending K.S.A. 2020 Supp. 8-2404 and 8-2435 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 8-2435, as amended by section 1 of 2021 Senate Bill No. 33, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 2; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins,

Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Fairchild, Jacobs.

Present but not voting: None.

Absent or not voting: Howard, Neighbor.

The substitute bill passed.

**SB 118**, AN ACT concerning municipalities; relating to the dissolution of special districts and assumption of responsibilities by cities or counties, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 2; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Corbet, Helmer.

Present but not voting: None.

Absent or not voting: Howard, Neighbor.

The bill passed.

#### EXPLANATION OF VOTE

MR SPEAKER: I vote no on **SB 118**. The reason is: 18,700 Sedgwick voters do not want Century II or the historic Library destroyed. This bill includes control of library districts by cities and counties. I object to this bill **SB 118**. – CHERYL HELMER

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Williams in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Williams, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **SB 36** be adopted; and the bill be passed as amended.

Committee report to **HB 2329** be adopted; and the bill be passed as amended.

Committee report to **SB 55** be adopted; and the bill be passed as amended.

Committee report to **HCR 5015** be adopted.

Also, Roll Call was demanded on the motion of Rep. Parker to amend **HCR 5015**, as amended by House Committee, on page 2, following line 20, by inserting:

*"Be it further resolved:* That the United States Congress is hereby urged to restore the provisions of the Voting Rights Act of 1965 to ensure the voting rights for all people; and";

On page 1, in the title, in line 3, by striking "and oppose" and inserting "by opposing"; also in line 3, after "2021" by inserting "and restoring the provisions of the Voting Rights Act of 1965"

On roll call, the vote was: Yeas 39; Nays 83; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Estes, Featherston, Finney, Gartner, Haswood, Helgeson, Henderson, Highberger, Hoye, Kuether, Miller, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Averkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Present but not voting: None.

Absent or not voting: Howard, Neighbor, Samsel.

The motion of Rep. Parker to amend **HCR 5015** did not prevail.

Also, on motion of Rep. Miller to re-refer **HCR 5015** to Committee on Elections the motion did not prevail; and the resolution be adopted as amended.

Committee report to **HB 2406** be adopted; and the bill be passed as amended.

Committee report to **SB 86** be adopted; and the bill be passed as amended.

Committee report to **SB 24** be adopted.

Also, on motion of Rep. Coleman to amend **SB 24**, Rep. Xu requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane, and the bill be passed.

Also, Roll Call was demanded on Rep. Coleman's challenge of the ruling, the question being "Shall the Rules Chair be sustained?"

On roll call, the vote was: Yeas 100; Nays 18; Present but not voting: 0; Absent or not voting: 7.

Yeas: Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Byers, Carlson, B. Carpenter, W. Carpenter, Clayton, Collins, Concannon, Corbet, Croft, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Francis, French, Gartner, Haswood, Hawkins, Helmer, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, S., Ryckman, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Wolfe Moore, Woodard, Xu.

Nays: Alcala, Bishop, Burroughs, Carlin, Carmichael, Coleman, Curtis, Finney, Helgerson, Henderson, Miller, Ohaebosim, Ousley, Ruiz, L., Stogsdill, Victors, Weigel, Winn.

Present but not voting: None.

Absent or not voting: Baker, Clark, Garber, Howard, Neighbor, Samsel, Sawyer, and the bill be passed as amended.

The Rules Chair was sustained and the bill be passed as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Children and Seniors** recommends **SB 120** be amended on page 1, in line 25, by striking "11" and inserting "13";

On page 2, in line 4, by striking "and"; in line 6, after "senate" by inserting ";

(8) one member of the senate appointed by the minority leader of the senate; and

(9) one member of the house of representatives appointed by the majority leader of the house of representatives";

Also on page 2, in line 38, by striking "Six" and inserting "Seven"; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **SB 65** be amended on page 5, in line 18, after "(f)" by inserting "For projects placed into service on and after January 1, 2021, a taxpayer may transfer up to 50% of the tax credit allowed under subsection (e), as provided in this subsection. The taxpayer may make a transfer to one or more transferees, but the total of all transfers shall not exceed 50% of the taxpayer's tax credit. The taxpayer shall make the transfer or transfers within a single tax year. The credit may be transferred to any individual or entity and shall be claimed in the year the credit was transferred against the transferee's tax liability for the income tax under the Kansas income tax act or the premium tax or privilege fees imposed pursuant to K.S.A. 40-252, and amendments thereto, or the privilege tax as

measured by the net income of financial institutions imposed pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto. The amount of the credit that exceeds the transferee's tax liability for such year may be carried forward for credit in the succeeding taxable year or years until the total amount of the tax credit is used, except that no such credit shall be carried forward for deduction after the 16<sup>th</sup> taxable year succeeding the taxable year in which such credit was initially claimed. The taxpayer or transferee shall provide such documentation of the tax credit transfer to the secretary of revenue as may be required by the secretary.

(g) In the event the tax credit earned by the taxpayer and transferred to a transferee is later disallowed in whole or in part by the secretary of revenue, the taxpayer that originally earned the tax credit shall be liable for repayment to the state in the amount disallowed.

(h)";

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

On page 1, in the title, in line 3, after the semicolon by inserting "transferability of tax credits;"; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **SB 66** be amended on page 2, in line 24, by striking "its next series of funding" and inserting "any additional funds";

On page 3, in line 32, after "liability" by inserting "at the time of the investment in a qualified Kansas business";

On page 6, in line 4, after "investors" by inserting "who lawfully make an investment"; also in line 4, by striking all after "shall"; in line 5, by striking all before "under" and inserting "not have tax credits disallowed solely due to the business losing its designation as a qualified Kansas business"; following line 8, by inserting:

"Sec. 4. K.S.A. 79-32,176a is hereby amended to read as follows: 79-32,176a. (a) Any resident individual taxpayer who makes expenditures for the purpose of making all or any portion of an existing facility accessible to individuals with a disability, which facility is used as, or in connection with, such taxpayer's principal dwelling or the principal dwelling of a lineal ascendant or descendant, including construction of a small barrier-free living unit attached to such principal dwelling, shall be entitled to claim a tax credit in an amount equal to the applicable percentage of such expenditures or ~~\$9,000~~ \$15,000, whichever is less, against the income tax liability imposed against such taxpayer pursuant to article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto. Nothing in this subsection shall be deemed to prevent any such taxpayer from claiming such credit: (1) For each principal dwelling in which the taxpayer or lineal ascendant or descendant may reside, or facility used in connection therewith; or (2) more than once, but not more often than once every four-year period of time. The applicable percentage of such expenditures eligible for credit shall be as set forth in the following ~~schedule~~ schedules:

Married individuals filing joint returns.

Taxpayers Federal Adjusted Gross Income	% of expenditures eligible for credit
\$0 to <del>\$25,000</del> <u>\$60,000</u> .....	100%
Over <del>\$25,000</del> <u>\$60,000</u> but not over <del>\$30,000</del> <u>\$70,000</u> .....	90%
Over <del>\$30,000</del> <u>\$70,000</u> but not over <del>\$35,000</del> <u>\$80,000</u> .....	80%
Over <del>\$35,000</del> <u>\$80,000</u> but not over <del>\$40,000</del> <u>\$90,000</u> .....	70%
Over <del>\$40,000</del> <u>\$90,000</u> but not over <del>\$45,000</del> <u>\$100,000</u> .....	60%
Over <del>\$45,000</del> <u>\$100,000</u> but not over <del>\$55,000</del> <u>\$110,000</u> .....	50%
Over <del>\$55,000</del> <u>\$110,000</u> but not over <u>\$120,000</u> .....	40%
Over <u>\$120,000</u> but not over <u>\$130,000</u> .....	30%
Over <u>\$130,000</u> but not over <u>\$140,000</u> .....	20%
Over <u>\$140,000</u> but not over <u>\$150,000</u> .....	10%
Over <u>\$150,000</u> .....	0%
All other individuals.	

Taxpayers Federal Adjusted Gross Income	% of expenditures eligible for credit
<u>\$0 to \$40,000</u> .....	100%
Over <u>\$40,000</u> but not over <u>\$50,000</u> .....	90%
Over <u>\$50,000</u> but not over <u>\$60,000</u> .....	80%
Over <u>\$60,000</u> but not over <u>\$70,000</u> .....	70%
Over <u>\$70,000</u> but not over <u>\$80,000</u> .....	60%
Over <u>\$80,000</u> but not over <u>\$90,000</u> .....	50%
Over <u>\$90,000</u> but not over <u>\$100,000</u> .....	40%
Over <u>\$100,000</u> but not over <u>\$110,000</u> .....	30%
Over <u>\$110,000</u> but not over <u>\$120,000</u> .....	20%
Over <u>\$120,000</u> but not over <u>\$130,000</u> .....	10%
Over <u>\$130,000</u> .....	0%

Such tax credit shall be deducted from the taxpayer's income tax liability for the taxable year in which the expenditures are made by the taxpayer. If the amount of such tax credit exceeds the taxpayer's income tax liability for such taxable year, the amount thereof which exceeds such tax liability may be carried over for deduction from the taxpayer's income tax liability in the next succeeding taxable year or years until the total amount of the tax credit has been deducted from tax liability, except that no such tax credit shall be carried over for deduction after the fourth taxable year succeeding the taxable year in which the expenditures are made.

(b) Notwithstanding the provisions of subsection (a), if the amount of the taxpayer's tax liability is less than ~~\$2,250~~ \$3,750 in the first year in which the credit is claimed under this section, an amount equal to the amount by which  $\frac{1}{4}$  of the credit allowable under this section exceeds such tax liability shall be refunded to the taxpayer and the amount by which such credit exceeds such tax liability less the amount of such refund may be carried over for the next three succeeding taxable years. If the amount of the taxpayer's tax liability is less than ~~\$2,250~~ \$3,750 in the second year in which the credit is claimed under this section, an amount equal to the amount by which  $\frac{1}{3}$  of the amount

of the credit carried over from the first taxable year exceeds such tax liability shall be refunded to the taxpayer and the amount by which the amount of the credit carried over from the first taxable year exceeds such tax liability less the amount of such refund may be carried over for the next two succeeding taxable years. If the amount of the taxpayer's tax liability is less than ~~\$2,250~~ \$3,750 in the third year in which the credit is claimed under this section, an amount equal to the amount by which  $\frac{1}{2}$  of the amount carried over from the second taxable year exceeds such tax liability shall be refunded to the taxpayer and the amount by which the amount of the credit carried over from the second taxable year exceeds such tax liability less the amount of such refund may be carried over to the next succeeding taxable year. If the amount of the credit carried over from the third taxable year exceeds the taxpayer's income tax liability for such year, the amount thereof which exceeds such tax liability shall be refunded to the taxpayer.

(c) In the case of all tax years commencing after December 31, 2021, the maximum tax credit amount, as prescribed in subsection (a), and the tax liability threshold amount in the first, second and third years, as prescribed in subsection (b), shall be increased by an amount equal to such maximum tax credit amount and tax liability threshold amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the calendar year in which the taxable year commences.

(d) The provisions of this section are applicable to tax year ~~2013~~ 2021, and all tax years thereafter.";

Also on page 6, in line 9, by striking "and" and inserting a comma; also in line 9, after "74-8136" by inserting "and 79-32,176a";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "economic development" and inserting "income taxation"; in line 4, after the last semicolon by inserting "expenditures to make principal dwelling accessible to persons with a disability"; in line 5, by striking the first "and" and inserting a comma; also in line 5, after "74-8136" by inserting "and 79-32,176a"; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **SB 90**, as amended by Senate Committee of the Whole, be amended on page 1, in line 26, by striking "60,000" and inserting "80,000"; and the bill be passed as amended.

Committee on **Insurance and Pensions** recommends **SB 37**, as amended by Senate Committee of the Whole, be passed.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill and concurrent resolution were introduced and read by title:

**HB 2448**, AN ACT concerning foster care; relating to licenses for family foster homes; creating an exemption to allow the secretary for the department of children and families to license a family foster home where a former foster care youth with juvenile adjudications resides; amending K.S.A. 65-516 and repealing the existing section, by Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION No. **HCR 5018**—

By Committee on Federal and State Affairs

A PROPOSITION to amend section 22 of article 2 of the constitution of the state of Kansas; relating to legislative immunity from arrest and civil service of process.

*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: Section 22 of article 2 of the constitution of the state of Kansas is hereby amended to read as follows:

**"§ 22. Legislative immunity.** For any speech, written document or debate in either house, the members shall not be questioned elsewhere. ~~No member of the legislature shall be subject to arrest — except for treason, felony or breach of the peace — in going to, or returning from, the place of meeting, or during the continuance of the session; neither shall he be subject to the service of any civil process during the session, nor for fifteen days previous to its commencement.~~"

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

*"Explanatory statement.* The purpose of this amendment is to remove the constitutional provision allowing legislators to have immunity from being arrested in going to, or returning from, the place of meeting, or during the continuance of the legislative session or from being served with civil process during the legislative session or 15 days prior to the commencement of the legislative session.

"A vote for this proposition would remove the provision in the Kansas constitution that provides for immunity from arrest while going to, or returning from, the place of meeting, or during the continuance of the legislative session and from civil service of process for legislators during the legislative session or 15 days prior to the commencement of the legislative session.

"A vote against this proposition would not make any changes to the constitution and would maintain the current provisions related to legislative immunity."

Sec. 3. This resolution, if approved by 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, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2022, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

**MESSAGES FROM THE SENATE**

The Senate nonconcur in House amendments to **SB 26**, requests a conference and has appointed Senators Petersen, Claeys and Hawk as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 63**, requests a conference and has appointed Senators Baumgardner, Erickson and Sykes as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 67**, requests a conference and has appointed Senators Petersen, Claeys and Hawk as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 95**, requests a conference and has appointed Senators Petersen, Claeys and Hawk as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 99**, requests a conference and has appointed Senators Petersen, Claeys and Hawk as conferees on the part of the Senate.

**REPORT ON ENGROSSED BILLS**

**HB 2401** reported correctly engrossed March 22, 2021.

**HB 2078** reported correctly re-engrossed March 22, 2021.

**REPORT ON ENROLLED BILLS**

**HB 2227** reported correctly enrolled, properly signed and presented to the Governor on March 23, 2021.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Wednesday, March 24, 2021.

# Journal of the House

FIFTIETH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, March 24, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 122 members present.

Rep. Howard was excused on verified illness.

Reps. Schreiber and Vaughn were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty God,  
thank You for this a new day.  
Remind each of us today  
that You are our refuge and strength,  
an ever-present help in trouble.  
Therefore, we will not fear.  
No matter the tasks which lie ahead,  
we can trust You to equip and empower  
us to complete them.  
All we need to do is to  
be still and know that You are God--  
to relax and cease from our own efforts,  
and allow You to be who You can be.  
This gives us hope to endure  
because when all is said and done,  
You will be exalted  
and Your people will be cared for correctly and rightly.  
In Christ's Name, I pray, Amen.

The Pledge of Allegiance was led by Rep. Xu.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

**HB 2449**, AN ACT concerning governmental response to public health; relating to the state of disaster emergency powers of the governor and certain public officials; providing certain limitations and restrictions; prohibiting stay-at-home orders and curfews; requirement of vaccinations by certain public and private entities; requiring the capitol and legislative meetings be open to the public; protecting the freedom of worship and operation of private businesses, by Committee on Federal and State Affairs.

**HB 2450**, AN ACT concerning gaming; authorizing the Kansas lottery to offer sports wagering with an existing contract provider; issue a request for proposal for an interactive sports wagering platform provider; report to the legislature, by Committee on Federal and State Affairs.

#### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were referred to committees as indicated:

Children and Seniors: **HB 2448**.

Federal and State Affairs: **HCR 5018**.

Judiciary: **HB 2447**.

#### MESSAGE FROM THE GOVERNOR

March 22, 2021

*Message to the Kansas House of Representatives:*

Enclosed herewith is Executive Order No. 21-08 for your information.

EXECUTIVE ORDER NO. 21-08  
Establishing the Advantage Kansas Coordinating Council

LAURA KELLY  
*Governor*

#### MESSAGES FROM THE SENATE

Announcing passage of **HB 2008**, **HB 2014**, **HB 2321**.

The Senate adopts the Conference Committee report on **HB 2022**.

#### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **H Sub SB 26**.

Speaker Ryckman thereupon appointed Reps. Proehl, Delperdang and Helgerson as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **H Sub SB 63**.

Speaker Ryckman thereupon appointed Reps. Williams, Hoffman and Winn as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 67**.

Speaker Ryckman thereupon appointed Reps. Proehl, Delperdang and Helgerson as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 95**.

Speaker Ryckman thereupon appointed Reps. Proehl, Delperdang and Helgerson as

conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **H Sub SB 99**.

Speaker Ryckman thereupon appointed Reps. Proehl, Delperdang and Helgerson as conferees on the part of the House.

### CONSENT CALENDAR

No objection was made to **SB 64** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**SB 64**, AN ACT concerning postsecondary education; relating to the regulation of private and out-of-state educational institutions by the state board of regents; certificates of approval; student protections; rules and regulations; amending K.S.A. 74-32,162, 74-32,163, 74-32,164, 74-32,165, 74-32,167, 74-32,168, 74-32,169, 74-32,170, 74-32,171, 74-32,172, 74-32,173, 74-32,175, 74-32,177, 74-32,178, 74-32,181, 74-32,182, 74-32,184, 74-32,194, 74-32,417 and 74-32,419 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 2; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Fairchild, Rhiley.

Present but not voting: None.

Absent or not voting: Howard, Schreiber, Vaughn.

The bill passed.

**HB 2329**, AN ACT concerning pipeline safety; relating to the state corporation commission; pipeline safety program; entities who are subject to the program; amending K.S.A. 66-1,150 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson,

Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Rhiley.

Present but not voting: None.

Absent or not voting: Howard, Schreiber, Vaughn.

The bill passed, as amended.

**HB 2406**, AN ACT concerning alcoholic liquor; restricted hours and days of sales; authorizing issuance of cereal malt beverage retailers' licenses to producers; sale in retail liquor stores; relating to the sale of cereal malt beverage in the original package; amending K.S.A. 2020 Supp. 41-712, 41-2703, 41-2704 and 41-2911 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 80; Nays 42; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Borjon, Burroughs, Byers, Carlin, Carlson, B. Carpenter, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Dodson, M., Eplee, Fairchild, Featherston, Finch, Finney, French, Gartner, Haswood, Hawkins, Highberger, Hoheisel, Houser, Howe, Hoye, S. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Miller, Neely, Neighbor, Ousley, Owens, Parker, F. Patton, Poetter, Poskin, Probst, Proctor, Proehl, Ralph, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Seiwert, Smith, C., Stogsdill, Sutton, Tarwater, Thomas, Turner, Victors, Wasinger, Waymaster, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Baker, Bergquist, Bishop, Blex, Burris, Carmichael, W. Carpenter, Clark, Delperdang, Donohoe, Ellis, Esau, Estes, Francis, Garber, Helgerson, Helmer, Henderson, Highland, Hoffman, Huebert, Humphries, Jacobs, Jennings, T. Johnson, Mason, Minnix, Moser, Murphy, Newland, Ohaebosim, Orr, Penn, Rahjes, Resman, Rhiley, Smith, A., Smith, E., Thompson, Toplikar, Waggoner, Weigel.

Present but not voting: None.

Absent or not voting: Howard, Schreiber, Vaughn.

The bill passed, as amended.

#### EXPLANATIONS OF VOTE

MR. SPEAKER – I vote no on **HB 2406** for the following reason: The four Ps. Pee Poor Prior Planning – RONALD HIGHLAND

MR. SPEAKER: I'm not opposed of someone drinking if they choose to stay on their side of the road and conduct themselves in a responsible fashion. But I do believe that

the state of Kansas has gone too far by opening alcohol sales and encouraging consumption as early as 9:00 in the morning on Sundays. I'm amazed that enough is not enough when it comes to expanding gambling, drugs, alcohol, and sexual deviances in this state. I hope there will be a day when we will say enough is enough before it is too late. I vote "No" on **HB 2406**. – TREVOR JACOBS, JOHN CARMICHAEL, BILL RHILEY

MR. SPEAKER – I vote no on **HB 2406** allowing alcohol sales on Sunday mornings as we must respect the religious institutions in our communities. If you need alcohol during this time period please join me in church for some sacramental wine. – TIMOTHY JOHNSON, PATRICK PENN

**HCR 5015**, A CONCURRENT RESOLUTION urging the United States Congress to reject legislation to federalize elections in the United States of America and oppose the For the People Act of 2021, was considered on final action.

On roll call, the vote was: Yeas 84; Nays 38; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anderson, Amberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Schreiber, Vaughn.

The resolution was adopted, as amended.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I support portions of HR 1, I vote for **HCR 5015** because I oppose the nationalization of elections. I cite unintended consequences of the National Voter Registration Act of 1993. Motor voter made it easier for citizens to register to vote, which was very beneficial. It also added an extended waiting period to remove inactive from the rolls. It is harder for states to remove people from the rolls who have moved. I encounter parents who say their children have grown and moved away, and homeowners report owning their homes for many years and receiving election mail for the previous owner(s). – SUSAN ESTES, LISA M. MOSER, CHARLOTTE ESAU

MR. SPEAKER: I vote NO on **House Concurrent Resolution 5015**. Voting is our civic duty and one of the most important rights and responsibilities that we have as American citizens. There is nothing "tedious" about protecting voter rights. This Resolution is nothing more than a political move that supports disenfranchising and suppressing

voters, allowing for partisan gerrymandering, and loose ethic laws. The Legislature should be working to ensure everyone has the ability to vote rather than focus on these partisan political games. Condemning the Voting Acts of 1965 made it unfortunately clear that this body would rather move backwards than forward. – TOM SAWYER, CINDY NEIGHBOR, BRANDON WOODARD, JO ELLA HOYE, LINDA FEATHERSTON, JIM GARTNER, PAM CURTIS, SUSAN RUIZ, JENNIFER DAY, STEPHANIE BYERS, PONKA-WE VICTORS, CHRISTINA HASWOOD, EIZABETH BISHOP, LOUIS RUIZ, TOM BURROUGHS, JERRY STOGSDILL, BRODERICK HENDERSON, JOHN ALCALA, GAIL FINNEY, MIKE AMYX, VIRGIL WEIGEL

MR SPEAKER: Yesterday, I sat and listened to the hypocrisy and deliberate indifference to what we know to be fact. After watching a political “gang” relentlessly attack our president for 4 years, trying to find some way to connect him to election tampering, yet OVERNIGHT declare NO election fraud when they get their candidate elected; after watching two blatantly failed impeachments by this same POLITICAL “GANG,” it should not surprise anyone we are more than a little gun-shy to let that same mentality fundamentally change our election processes and take even more power from the states. I vote in favor of **HCR 5015**. – ERIC SMITH, TREVOR JACOBS, CHUCK SMITH, PATRICK PENN

MR. SPEAKER: The For the People Act is a bill in the United States Congress to expand voting rights, change campaign finance laws to reduce the influence of money in politics, limit partisan gerrymandering, and create new ethics rules for federal officeholders.

Since the founding of our country, some of us were considered lesser than others—3/5 of a person.

Since the ratification of the 15<sup>th</sup> Amendment in 1870, voter suppression has permeated parts of our country in the name of “states’ rights.”

I support all efforts to overcome these impediments to voting and vote NO on **HCR 5015**. – VIC MILLER.

MR. SPEAKER: I vote Yes on **HCR 5015**. The preamble to the resolution lays out the facts accurately and damningly about HB 1 and SB 1 in the U.S. Congress. Those federal bills strike at sensible voter ID laws, state laws requiring advance voter registration, and institute Federal mandates in their place. Not only is HB 1/SB 1 unconstitutional it is an insult to the body politic and the ability of our state to set our own election laws. **HCR 5015** is wise and prudent and it saddened me deeply we had to listen to spurious, lengthy, non-factual, and irrational attacks in the chamber on this legislation. – PAUL WAGGONER, BILL RHILEY, CLARKE SANDER, STEPHEN OWENS

**SB 24**, AN ACT concerning municipalities; prohibiting any requirements that impact a customer's use of energy; relating to the retail provision of natural gas and propane; creating the Kansas energy choice act, was considered on final action.

On roll call, the vote was: Yeas 93; Nays 29; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Finney, Francis, French, Garber, Gartner, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs,

Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ryckman, Samsel, Sanders, Sawyer, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Victors, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Byers, Carlin, Clayton, Coleman, Curtis, Day, Featherston, Haswood, Helgerson, Henderson, Highberger, Hoye, Miller, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, S., Stogsdill, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Schreiber, Vaughn.

The bill passed, as amended.

**SB 36**, AN ACT concerning motor vehicles; relating to salvage vehicles; requiring the Kansas highway patrol to make multiple vehicle checks within a set time period upon application by a salvage vehicle pool; allowing salvage vehicle pools and salvage vehicle dealers to apply to the division of vehicles for ownership documents; providing application and notice requirements therefor; amending K.S.A. 2020 Supp. 8-116a and 8-198 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 6; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Fairchild, Highberger, Jacobs, Lee-Hahn, Ousley, Rhiley.

Present but not voting: None.

Absent or not voting: Howard, Schreiber, Vaughn.

The bill passed, as amended.

**SB 55**, AN ACT concerning the healing arts; relating to healing arts schools; professional services performed thereby; authorization thereof; amending K.S.A. 2020 Supp. 17-2707, 17-7668 and 65-2877a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker,

Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Schreiber, Vaughn.

The bill passed, as amended.

**SB 86**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and retirement systems thereunder; conforming certain KPERS provisions with the federal CARES act; amending K.S.A. 74-49,123 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Schreiber, Vaughn.

The bill passed, as amended.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Waymaster in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Waymaster, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 37** be passed.

**HB 2122** be passed over and retain a place on the calendar.

Committee report to **SB 107** be adopted; and the bill be passed as amended.

Committee report to **SB 175** be adopted; and the bill be passed as amended.

Committee report to **HB 2150** be adopted; and the bill be passed as amended.

Committee report to **Sub SB 238** be adopted; and the bill be passed as amended.

Committee report to **SB 58** be adopted; and the bill be passed as amended.

Committee report to **SB 103** be adopted; and the bill be passed as amended.

#### REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 38**, as amended by Senate Committee, be amended on page 4, in line 31, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Agriculture** recommends **SB 89** be amended on page 1, in line 20, after "storage" by inserting "or from a place of storage to a place of use"; and the bill be passed as amended.

Committee on **Agriculture** recommends **SB 142**, as amended by Senate Committee, be amended on page 1, in line 21, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Agriculture** recommends **SB 143**, as amended by Senate Committee, be amended on page 9, in line 16, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Agriculture** recommends **SB 160** be amended on page 2, in line 33, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2417** be passed.

Committee on **Federal and State Affairs** recommends **HB 2025**, as reported in the Journal of the House on March 1, 2021, and the bill, as printed with amendments by House Committee, be further amended on page 1, by striking all in lines 25 through 36;

On page 2, by striking all in lines 1 through 8;

And by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Insurance and Pensions** recommends **HB 2380** be amended on page 12, in line 12, after "(1)" by inserting "(1)"; in line 14, by striking "paragraph (1)" and

inserting "subparagraph (A)"; in line 19, by striking "paragraph (2)" and inserting "subparagraph (B)"; in line 26, after the period by inserting "A medical care facility or a healthcare facility deemed qualified as a self-insurer under K.S.A. 40-3414(a), and amendments thereto, may opt out of the requirements set forth in subparagraph (B) if such medical care facility or healthcare facility substantially meets the minimum coverage requirements of this section through coverage provided by the captive insurance company of such medical care facility or healthcare facility.";

On page 13, in line 5, by striking the first "(1)"; also in line 5, after "(A)" by inserting "(i)"; in line 10, by striking "(B)" and inserting "(ii)"; in line 15, by striking "(C)" and inserting "(iii)"; in line 20, by striking "(2) (A)" and inserting "(B) (i)"; in line 25, by striking "(B)" and inserting "(ii)"; following line 29, by inserting:

"(2) The board of governors shall have the authority to adjust the amounts provided in subparagraph (B) as the board deems necessary to effectuate the provisions of the healthcare provider insurance availability act, except that the minimum coverage for a healthcare provider shall not be less than \$1,000,000 per claim and \$3,000,000 in the aggregate.";

On page 15, following line 29, by inserting:

"Sec. 4. K.S.A. 40-3409 is hereby amended to read as follows: 40-3409. (a) (1) In any action filed in this state for personal injury or death arising out of the rendering of or the failure to render professional services by any ~~health care~~ healthcare provider covered by the fund or any inactive ~~health care~~ healthcare provider covered by the fund, the plaintiff shall serve a copy of the petition upon the board of governors by registered mail, certified mail, priority mail, commercial delivery service or first class mail within ~~10~~ 30 calendar days from filing the same, and if such service is not made the fund shall not be liable for any amount due from a judgment or a settlement nor, in such case, shall the ~~health care~~ healthcare provider or the provider's insurer or the inactive ~~health care~~ healthcare provider or the provider's insurer be liable for such amount that, if such service had been made, would have been paid by the fund; (2) in any action filed outside of this state for personal injury or death arising out of the rendering of or the failure to render professional services by any ~~health care~~ healthcare provider or any inactive ~~health care~~ healthcare provider covered by the fund, the inactive ~~health care~~ healthcare provider, the self-insurer or the insurer of a ~~health care~~ healthcare provider or an inactive ~~health care~~ healthcare provider shall notify the board of governors, as soon as it is reasonably practicable, that such summons or petition has been filed. If the petition names as a defendant in the action a ~~health care~~ healthcare provider who is licensed, registered or certified by the state board of healing arts, the board of governors shall forward a copy of the petition to the state board of healing arts.

(b) Such action shall be defended by the insurer or the self-insurer, but if the board of governors believes it to be in the best interests of the fund, the board of governors may employ independent counsel to represent the interests of the fund. The cost of employing such counsel shall be paid from the fund. The board of governors is authorized to employ independent counsel in any such action against an inactive ~~health care~~ healthcare provider covered by the fund.

(c) The attorneys of record and the board of governors shall submit to the state board of healing arts expert witness reports which have been made available to the opposing parties in the case and, upon the request of the state board of healing arts, any depositions, interrogatories, admissions or other relevant information concerning the

case which has been made available to the opposing parties in the case shall also be submitted. The board of governors shall not be required to furnish information not in the possession of the board of governors. Any report or other information made available to the state board of healing arts in accordance with this subsection shall be subject to K.S.A. 65-2898a and amendments thereto. Reasonable expenses incurred in reproducing such reports or other information shall be paid by the state board of healing arts.

Sec. 5. K.S.A. 2020 Supp. 40-3414 is hereby amended to read as follows: 40-3414.

(a) ~~(1)~~ Any ~~health care~~ healthcare provider or any ~~health care~~ healthcare system organized and existing under the laws of this state which owns and operates more than one medical care facility or more than one ~~health care~~ healthcare facility, as defined in K.S.A. 40-3401, and amendments thereto, licensed by the state of Kansas, whose aggregate annual insurance premium is or would be ~~\$100,000~~ \$150,000 or more for basic coverage calculated in accordance with rating procedures approved by the commissioner pursuant to K.S.A. 40-3413, and amendments thereto, may qualify as a self-insurer by obtaining a certificate of self-insurance from the board of governors. Upon application of any such ~~health care~~ healthcare provider or ~~health care~~ healthcare system, on a form prescribed by the board of governors, the board of governors may issue a certificate of self-insurance if the board of governors is satisfied that the applicant ~~is possessed~~ possesses and will continue to ~~be possessed of~~ possess the ability to pay any judgment for which liability exists equal to the amount of basic coverage required of a ~~health care~~ healthcare provider obtained against such applicant arising from the applicant's rendering of professional services as a ~~health care~~ healthcare provider.

(2) In making such determination the board of governors shall consider:

~~(1)(A)~~ The financial condition of the applicant;

~~(2)(B)~~ the procedures adopted and followed by the applicant to process and handle claims and potential claims;

~~(3)(C)~~ the amount and liquidity of assets reserved for the settlement of claims or potential claims; and

~~(4)(D)~~ any other ~~relevant~~ the board deems relevant.

(3) Any applicant for self-insurance that owns and operates more than one medical care facility or more than one healthcare facility shall be deemed qualified by the board of governors if such applicant is insured by a captive insurance company, as defined in K.S.A. 40-4301, and amendments thereto, or under the laws of the state of domicile of any such captive insurance company.

(4) The certificate of self-insurance may contain reasonable conditions prescribed by the board of governors. Upon notice and a hearing in accordance with the provisions of the Kansas administrative procedure act, the board of governors may cancel a certificate of self-insurance upon reasonable grounds therefor. Failure to pay any judgment for which the self-insurer is liable arising from the self-insurer's rendering of professional services as a ~~health care~~ healthcare provider, the failure to comply with any provision of this act or the failure to comply with any conditions contained in the certificate of self-insurance shall be reasonable grounds for the cancellation of such certificate of self-insurance. The provisions of this subsection shall not apply to the Kansas soldiers' home, the Kansas veterans' home or to any ~~person~~ individual who is a self-insurer pursuant to subsection (d) or (e).

(b) Any such ~~health care~~ healthcare provider or ~~health care~~ healthcare system that holds a certificate of self-insurance shall pay the applicable surcharge set forth in K.S.A. 40-3402(c), and amendments thereto.

(c) The Kansas soldiers' home and the Kansas veterans' home shall be self-insurers and shall pay the applicable surcharge set forth in K.S.A. 40-3402(c), and amendments thereto.

(d) ~~Persons~~Individuals engaged in residency training as provided in K.S.A. 40-3401(r)(1) and (2), and amendments thereto, shall be self-insured by the state of Kansas for occurrences arising during such training, and such ~~person~~ individual shall be deemed a self-insurer for the purposes of the ~~health care~~ healthcare provider insurance availability act. Such self-insurance shall be applicable to ~~a person~~ an individual engaged in residency training only when such ~~person~~ individual is engaged in medical activities which do not include extracurricular, extra-institutional medical service for which such ~~person~~ individual receives extra compensation and which have not been approved as provided in K.S.A. 40-3401(r)(1) and (2), and amendments thereto.

(e) (1) ~~A person~~An individual engaged in a postgraduate training program approved by the state board of healing arts at a medical care facility or mental health center in this state may be self-insured by such medical care facility or mental health center in accordance with this subsection ~~(e)~~ and in accordance with such terms and conditions of eligibility therefor as may be specified by the medical care facility or mental health center and approved by the board of governors. ~~A person~~An individual self-insured under this subsection ~~(e)~~ by a medical care facility or mental health center shall be deemed a self-insurer for purposes of the ~~health care~~ healthcare provider insurance availability act. Upon application by a medical care facility or mental health center, on a form prescribed by the board of governors, the board of governors may authorize such medical care facility or mental health center to self-insure ~~persons~~ individuals engaged in postgraduate training programs approved by the state board of healing arts at such medical care facility or mental health center if the board of governors is satisfied that the medical care facility or mental health center is possessed and will continue to be possessed of ability to pay any judgment for which liability exists equal to the amount of basic coverage required of a ~~health care~~ healthcare provider obtained against ~~a person~~ an individual engaged in such a postgraduate training program and arising from such ~~person's individual's~~ rendering of or failure to render professional services as a ~~health care~~ healthcare provider.

(2) In making such determination the board of governors shall consider:

- (A) The financial condition of the medical care facility or mental health center;
- (B) the procedures adopted by the medical care facility or mental health center to process and handle claims and potential claims;
- (C) the amount and liquidity of assets reserved for the settlement of claims or potential claims by the medical care facility or mental health center; and
- (D) any other factors the board of governors deems relevant.

The board of governors may specify such conditions for the approval of an application as the board of governors deems necessary. Upon approval of an application, the board of governors shall issue a certificate of self-insurance to each ~~person~~ individual engaged in such postgraduate training program at the medical care facility or mental health center who is self-insured by such medical care facility or mental health center.

(3) Upon notice and a hearing in accordance with the provisions of the Kansas administrative procedure act, the board of governors may cancel, upon reasonable grounds therefor, a certificate of self-insurance issued pursuant to this subsection ~~(e)~~ or the authority of a medical care facility or mental health center to self-insure ~~persons~~ individuals engaged in such postgraduate training programs at the medical care facility or mental health center. Failure of ~~a person~~ an individual engaged in such postgraduate training program to comply with the terms and conditions of eligibility to be self-insured by the medical care facility or mental health center, the failure of a medical care facility or mental health center to pay any judgment for which such medical care facility or mental health center is liable as self-insurer of such ~~person~~ individual, the failure to comply with any provisions of the ~~health care~~ healthcare provider insurance availability act or the failure to comply with any conditions for approval of the application or any conditions contained in the certificate of self-insurance shall be reasonable grounds for cancellation of such certificate of self-insurance or the authority of a medical care facility or mental health center to self-insure such ~~persons~~ individuals.

(4) A medical care facility or mental health center authorized to self-insure ~~persons~~ individuals engaged in such postgraduate training programs shall pay the applicable surcharge set forth in K.S.A. 40-3402(c), and amendments thereto, on behalf of such ~~persons~~ individuals.

(5) As used in this subsection ~~(e)~~, "medical care facility" does not include the university of Kansas medical center or those community hospitals or medical care facilities described in K.S.A. 40-3401(r)(2), and amendments thereto.

(f) For the purposes of subsection (a), "~~health care~~ healthcare provider" may include each health care provider in any group of ~~health care~~ healthcare providers who practice as a group to provide physician services only for a health maintenance organization, any professional corporations, partnerships or not-for-profit corporations formed by such group and the health maintenance organization itself. The premiums for each such provider, health maintenance organization and group corporation or partnership may be aggregated for the purpose of being eligible for and subject to the statutory requirements for self-insurance as set forth in this section.

(g) The provisions of subsections (a) and (f), relating to ~~health care~~ healthcare systems, shall not affect the responsibility of individual ~~health care~~ healthcare providers as defined in K.S.A. 40-3401(f), and amendments thereto, or organizations whose premiums are aggregated for purposes of being eligible for self-insurance from individually meeting the requirements imposed by K.S.A. 40-3402, and amendments thereto, with respect to the ability to respond to injury or damages to the extent specified therein and K.S.A. 40-3404, and amendments thereto, with respect to the payment of the ~~health care~~ healthcare stabilization fund surcharge.

(h) Each private practice corporation or foundation and their full-time physician faculty employed by the university of Kansas medical center and each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be deemed a self-insurer for the purposes of the ~~health care~~ healthcare provider insurance availability act. The private practice corporation or foundation of which the full-time physician faculty is a member and each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas

school of medicine shall pay the applicable surcharge set forth in K.S.A. 40-3404(a), and amendments thereto, on behalf of the private practice corporation or foundation and their full-time physician faculty employed by the university of Kansas medical center or on behalf of a nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine.

(i) (1) Subject to the provisions of paragraph (4), for the purposes of the ~~health care~~ healthcare provider insurance availability act, each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be deemed to have been a ~~health care~~ healthcare provider as defined in K.S.A. 40-3401, and amendments thereto, from and after July 1, 1997.

(2) Subject to the provisions of paragraph (4), for the purposes of the ~~health care~~ healthcare provider insurance availability act, each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be deemed to have been a self-insurer within the meaning of subsection (h), and amendments thereto, from and after July 1, 1997.

(3) Subject to the provisions of paragraph (4), for the purposes of the ~~health care~~ healthcare provider insurance availability act, the election of fund coverage limits for each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be deemed to have been effective at the highest option, as provided in K.S.A. 40-3403(l), and amendments thereto, from and after July 1, 1997.

(4) No nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be required to pay to the fund any annual premium surcharge for any period prior to the effective date of this act. Any annual premium surcharge for the period commencing on the effective date of this act and ending on June 30, 2001, shall be prorated.";

Also on page 15, in line 38, after the period by inserting:

"(b)";

Also on page 15, in line 42, by striking "(b)";

On page 16, in line 5, before "K.S.A." by inserting "K.S.A. 40-3409 and"; also in line 5, after "40-3408" by inserting ", 40-3414";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "service of notice thereon;"; also in line 3, after "amending" by inserting "K.S.A. 40-3409 and"; in line 4, after "40-3408" by inserting ", 40-3414"; and the bill be passed as amended.

Committee on **Insurance and Pensions** recommends **SB 78** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 78," as follows:

"House Substitute for SENATE BILL NO. 78

By Committee on Insurance and Pensions

"AN ACT concerning insurance; relating to the regulation of the business thereof;

reinsurance of risk; updating the national association of insurance commissioners credit for reinsurance model law; insurance company holding act; codifying the national association of insurance commissioners credit for reinsurance model regulation; updating certain definitions relating to service contracts and surplus lines insurance; interest rates calculations relating to nonforfeiture law for individual deferred annuities; application requirements for certification of utilization review organizations; requirements for out-of-state risk retention groups to do business in state; applications for registration of professional employer organizations; abolishing the automobile club services act; amending K.S.A. 40-22a04, 40-22a06 and 40-4103 and K.S.A. 2020 Supp. 40-201a, 40-221a, 40-246i, 40-4,104, 40-22a05, 40-3302, 40-3304, 40-3306 and 44-1704 and repealing the existing sections; also repealing K.S.A. 40-2405, 40-2501, 40-2502, 40-2503, 40-2504, 40-2505, 40-2506, 40-2507, 40-2508, 40-2509, 40-2510, 40-2511, 40-2512 and 40-2513."; and the substitute bill be passed.

(**H Sub SB 78** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **HB 2366** be passed.

Committee on **Judiciary** recommends **SB 56** be amended on page 2, in line 27, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 106**, as amended by Senate Committee of the Whole, be amended on page 33, in line 14, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Local Government** recommends **SB 52**, as amended by Senate Committee, be passed.

Committee on **Local Government** recommends **SB 53** be passed.

Committee on **Local Government** recommends **HB 2176** be amended on page 2, following line 6, by inserting:

"(c) As an alternative to any other vacation process established by law, a city may follow the notice and public hearing procedures set out in subsection (a) for the vacation of any public reservation."; and the bill be passed as amended.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

### HOUSE RESOLUTION No. **HR 6014**—

By Representatives Mason, Anderson, Amberger, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Croft, Curtis, Day, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, French, Garber, Gartner, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kessler, Landwehr, Long, Lynn, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Owens, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Schreiber, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler and K. Williams

**HR 6014**—A RESOLUTION strengthening the sister-state ties between the State of Kansas and Taiwan, supporting the signing of a bilateral trade agreement between Taiwan and the United States and reaffirming support for increasing Taiwan's international participation.

WHEREAS, The State of Kansas and Taiwan entered into a sister-state relationship in 1989; and

WHEREAS, Taiwan shares many of the same values with Kansas, including freedom, democracy, the rule of law and respect for human rights; and

WHEREAS, In May 2020, Taiwan donated 100,000 surgical masks and 10,000 N95 masks to support Kansas medical workers on the frontlines, demonstrating Taiwan's solidarity with Kansas in the COVID-19 pandemic; and

WHEREAS, In August 2020, Taiwan lifted restrictions on the import of beef from U.S. cattle aged 30 months or older and pork fed with permissible Ractopamine feed, providing greater access to Taiwan's meat markets for Kansas' farmers and ranchers; and

WHEREAS, Kansas and Taiwan enjoy a mutually beneficial bilateral trade relationship, with Taiwan ranking as Kansas' 3<sup>rd</sup> largest import country and 10<sup>th</sup> largest export destination in 2020; and

WHEREAS, Taiwan sent an Agricultural Trade Goodwill Mission to Kansas in September 2019 for meat purchase, which has further promoted the bilateral trade relationship between Kansas and Taiwan; and

WHEREAS, Negotiations for a fair and reciprocal bilateral trade agreement between Taiwan and the United States is an important step toward further strengthening bilateral trade, which will increase Kansas' exports to Taiwan; and

WHEREAS, Taiwan, as a responsible stakeholder in the international community, is seeking to meaningfully participate in the World Health Organization and International Civil Aviation Organization: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That Kansas praises Taiwan's vibrant democracy and celebrates the 32<sup>nd</sup> anniversary of its sister-state relations with Taiwan; and

*Be it further resolved:* That Kansas supports the signing of a bilateral trade agreement with Taiwan and welcomes even closer bilateral trade and investment ties; and

*Be it further resolved:* That Kansas supports Taiwan's appropriate participation in international organizations, which is significant to the health, safety and well-being of its people; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Mason.

Upon unanimous consent, the House referred back to the regular business, Introduction of Bills and Concurrent Resolutions.

## **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2451**, AN ACT concerning tobacco products; relating to the sale thereof; remitting certain payments from tobacco product manufacturers to the credit of the

Kansas endowment for youth fund rather than deposit into escrow upon certification by the attorney general; amending K.S.A. 50-6a01 and 50-6a03 and K.S.A. 2020 Supp. 50-6a04 and 50-6a09 and repealing the existing sections, by Committee on Taxation.

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker Ryckman announced the appointment of Rep. Hoffman to replace Rep. Howard on committee on Agriculture and Natural Resources Budget on March 24, 2021.

Also, the appointment of Rep. Owens to replace Rep. Hoffman on committee on Commerce Labor and Economic Development on March 24, 2021.

Also, the appointment of Rep. Ballard to replace Rep. Victors on committee on Transportation and Public Safety Budget on March 24, 2021.

On motion of Rep. Hawkins, the House adjourned until 11:00 a.m., Thursday, March 25, 2021.

# Journal of the House

## FIFTY-FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, March 25, 2021, 11:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Finch in the chair.

The roll was called with 122 members present.

Rep. Howard was excused on verified illness.

Reps. Lee-Hahn and Victors were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Loving and merciful God,  
You have chosen to love us—  
You have chosen us to be holy people.  
Your Word tells us to clothe ourselves with  
tenderhearted mercy, kindness, humility, gentleness and patience.  
So today and in the coming weeks,  
help us to clothe ourselves with  
mercy instead of vengeance,  
kindness instead of indifference,  
patience instead of impatience.  
Help us to place these virtues in our  
hearts, minds, attitudes, words and actions.  
Make us ambassadors of humility, justice and mercy.  
In Your Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Hoffman.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2452**, AN ACT concerning sales and compensating use tax; relating to motor vehicles; sourcing sales of motor vehicles to location of vehicle registration; amending K.S.A. 2020 Supp. 12-191 and 12-199 and repealing the existing sections, by Committee on Taxation.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2449**, **HB 2450**.

Judiciary: **HB 2451**.

**MESSAGES FROM THE SENATE**

The Senate concurs in House amendments to **SB 63**, and requests return of the bill.

The Senate concurs in House amendments to **SB 99**, and requests return of the bill.

Announcing passage of **SB 2**.

Announcing passage of **HB 2102**, as amended by **S Sub HB 2102**.

Announcing passage of **HB 2137**, as amended, **HB 2178**, as amended.

Announcing passage of **HB 2172**, **HB 2270**.

The Senate nonconcurrs in House amendments to **SB 36**, requests a conference and has appointed Senators Petersen, Claeys and Hawk as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 55**, requests a conference and has appointed Senators Baumgardner, Erickson and Sykes as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 86**, requests a conference and has appointed Senators Longbine, Fagg and Pittman as conferees on the part of the Senate.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bill was thereupon introduced and read by title:

**SB 2**

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 36**.

Speaker pro tem Finch thereupon appointed Reps. Proehl, Delperdang and Helgerson as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 86**.

Speaker pro tem Finch thereupon appointed Reps. S. Johnson, Croft and Neighbor as conferees on the part of the House.

**SPECIAL ORDER OF BUSINESS**

The time now having arrived for the Special Order of Business, **Executive Reorganization Order No. 47**, an order renaming the Kansas department for children and families the Kansas department of human services and abolishing the Kansas department for aging and disability services and transferring the functions to the Kansas department of human services, and **HR 6009**, disapproving **Executive Reorganization Order No. 47** were considered on motion of Rep. W. Carpenter to adopt **HR 6009**.

**HR 6009**, A RESOLUTION disapproving **Executive Reorganization Order No. 47**, renaming the Kansas department for children and families the Kansas department of human services and abolishing the Kansas department for aging and disability services and transferring powers, duties and functions to the Kansas department of human services, was considered on final action.

On roll call, the vote was: Yeas 84; Nays 38; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgeson, Henderson, Highberger, Hoyer, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The resolution was adopted.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HB 2150**, AN ACT concerning dependent persons; relating to the reporting of abuse, neglect or financial exploitation of such persons; requiring additional persons to be mandatory reporters; providing a definition of financial exploitation; amending K.S.A. 39-1438 and 39-1441 and K.S.A. 2020 Supp. 39-1430, 39-1431, 39-1433 and 39-1443 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 39-1431b, was considered on final action.

On roll call, the vote was: Yeas 118; Nays 4; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgeson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, Burris, Jacobs, Poetter.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The bill passed, as amended.

**SB 37**, AN ACT concerning insurance; relating to producer licensing requirements; agent conduct; pertaining to examinations; fees; renewal dates; suspension, revocation or denial of licensure; licensure renewal; amending K.S.A. 2020 Supp. 40-241, 40-4902, 40-4903, 40-4905, 40-4909, 40-4912, 40-4915, 40-5505 and 40-5512 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 109; Nays 13; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoheisel, Howe, Hoye, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Arnberger, Burris, B. Carpenter, Delperdang, Fairchild, Garber, Hoffman, Houser, Huebert, Jacobs, Landwehr, Newland, Rhiley.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The bill passed.

**SB 58**, AN ACT concerning liens or claims against real or personal property; relating to prohibitions on certain filings; notice; criminal penalties; amending K.S.A. 2020 Supp. 58-4301 and 58-4302 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The bill passed, as amended.

**SB 103**, AN ACT concerning the Kansas power of attorney act; relating to the effectiveness of a power of attorney; exemption of third persons from liability in certain circumstances; amending K.S.A. 58-658 and K.S.A. 2020 Supp. 58-652 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The bill passed, as amended.

**SB 107**, AN ACT enacting the uniform fiduciary income and principal act; repealing the uniform principal and income act (1997); amending K.S.A. 2020 Supp. 58a-103 and repealing the existing section; also repealing K.S.A. 58-9-101, 58-9-102, 58-9-103, 58-9-104, 58-9-201, 58-9-202, 58-9-301, 58-9-302, 58-9-303, 58-9-401, 58-9-402, 58-9-403, 58-9-404, 58-9-405, 58-9-406, 58-9-407, 58-9-408, 58-9-410, 58-9-411, 58-9-412, 58-9-413, 58-9-414, 58-9-415, 58-9-501, 58-9-502, 58-9-503, 58-9-504, 58-9-506, 58-9-601, 58-9-602 and 58-9-603 and K.S.A. 2020 Supp. 58-9-105, 58-9-106, 58-9-409, 58-9-505 and 58-9-606, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley,

Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The bill passed, as amended.

**SB 175**, AN ACT concerning health and healthcare; relating to hospitals and healthcare-related facilities; establishing rural emergency hospitals as a rural healthcare licensure category; requirements for licensure; enacting the rural emergency hospital act; providing grant assistance to hospitals in certain counties; prescribing powers, duties and functions of the secretary of health and environment related thereto; establishing the rural hospital innovation grant program and rural hospital innovation grant fund; amending K.S.A. 65-425 and 65-431 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 3; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Averkamp, Fairchild, Jacobs.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The bill passed, as amended.

#### EXPLANATION OF VOTE

Mr. Speaker: I vote no on SB 175. I support licensing rural emergency hospitals, which would allow hospitals to downsize and give them a better chance of staying open. However, SB 175 was merged in committee with HB 2174, and I oppose HB 2174. That bill establishes the rural hospital grant program. It would result in 10 million dollars from the state general fund being sent to hospitals in our state. I simply don't believe this is fiscally responsible given the uncertainty regarding our state's fiscal situation. Also, hospitals in our state have received a lot of federal covid relief money.

– Brett Fairchild

**S Sub SB 238**, AN ACT concerning health and healthcare; relating to credentialing of health professions and facilities; certification and funding of certified community behavioral health clinics; prescribing powers, duties and functions of the Kansas department for aging and disability services and the department of health and environment related thereto; authorizing the issuance of telemedicine waivers for out-of-state healthcare providers; relating to professions regulated by the behavioral sciences regulatory board; reducing certain licensing requirements; expanding temporary practice permits and the board's grounds for discipline; amending K.S.A. 65-5804a, 65-5807a, 65-5808, 65-5809, 65-6309a, 65-6311, 65-6404, 65-6405a, 65-6408, 65-6610, 65-6612, 65-6615, 74-5316a, 74-5324, 74-5363, 74-5367a and 74-5369 and K.S.A. 2020 Supp. 65-6306 and 65-6411 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Fairchild.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The bill passed, as amended.

#### EXPLANATION OF VOTE

MR. SPEAKER: I vote yes on **S Sub SB 238**. This is a monumental step, and will ensure that more Kansans can receive timely, high quality mental health service. This matters for our children suffering from anxiety while waiting for school to return to normal. This matters for our veterans suffering from post-traumatic stress disorder after bravely serving our country. This matters for our farmers and ranchers suffering from increased rates of depression, fearing the loss of their family farm. This matters for our friends and neighbors who are suffering from addictions and are prepared to walk through the doorway to recovery. — RON RYCKMAN, BRENDA LANDWEHR, CHARLOTTE ESAU, MEGAN LYNN, SUSAN HUMPHRIES

**MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Croft, the House nonconcurrent in Senate amendments to **Sub HB 2066** and asked for a conference.

Speaker Speaker pro tem Finch thereupon appointed Reps. Tarwater, Croft and Clayton as conferees on the part of the House.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Concannon in the chair.

**COMMITTEE OF THE WHOLE**

On motion of Rep. Concannon, Committee of the Whole report, as follows, was adopted:

Recommended that **SB 52** be passed.

**SB 53** be passed over and retain a place on the calendar.

Committee report to **SB 38** be adopted; and the bill be passed as amended.

Committee report to **SB 66** be adopted; and the bill be passed as amended.

Committee report to **SB 89** be adopted; and the bill be passed as amended.

Committee report to **SB 65** be adopted; and the bill be passed as amended.

Committee report to **SB 160** be adopted; and the bill be passed as amended.

Committee report to **SB 90** be adopted; and the bill be passed as amended.

Committee report to **SB 143** be adopted; and the bill be passed as amended.

Committee report to **HB 2176** be adopted; and the bill be passed as amended.

Committee report to **SB 142** be adopted; and the bill be passed as amended.

**INTRODUCTION OF ORIGINAL MOTIONS**

On emergency motion of Rep. Hawkins pursuant to House Rule 2311, **HB 2176**, **SB 38**, **SB 52**, **SB 65**, **SB 66**, **SB 89**, **SB 90**, **SB 142**, **SB 143** and **SB 160** were advanced to Final Action on Bills and Concurrent Resolutions.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**SB 38**, AN ACT concerning agriculture; relating to environmental remediation; establishing the Kansas pesticide waste disposal program and the Kansas pesticide waste disposal fund; permitting annual transfers from the Kansas agricultural remediation fund to the Kansas pesticide waste disposal fund; amending K.S.A. 2-3702 and K.S.A. 2020 Supp. 2-3708 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau,

Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Jacobs.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The bill passed, as amended.

**SB 66**, AN ACT concerning income taxation; relating to the Kansas angel investor tax credit act; qualified securities; tax credit limitations and amounts; investor requirements; qualified Kansas business designation requirements; bioscience businesses; program expiration date; expenditures to make principal dwelling accessible to persons with a disability; amending K.S.A. 74-8132, 74-8133, 74-8136 and 79-32,176a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 109; Nays 12; Present but not voting: 1; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, Bergkamp, Carmichael, Fairchild, Garber, Howe, Jacobs, Moser, Murphy, Poetter, Rhiley, Waggoner.

Present but not voting: Helgerson.

Absent or not voting: Howard, Lee-Hahn, Victors.

The bill passed, as amended.

**SB 89**, AN ACT concerning traffic regulations; relating to size and weight laws; exempting the transport of agricultural forage commodities from the secured loads statute; amending K.S.A. 8-1906 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker,

Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The bill passed, as amended.

**SB 65**, AN ACT concerning economic development; relating to the high performance incentive fund; workforce training program participation requirements; transferability of tax credits; amending K.S.A. 74-50,133 and 79-32,160a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Fairchild.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The bill passed, as amended.

**SB 52**, AN ACT establishing the Sedgwick county urban area nuisance abatement act, was considered on final action.

On roll call, the vote was: Yeas 80; Nays 42; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Baker, Ballard, Barker, Bergkamp, Bishop,

Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Croft, Curtis, Day, Dodson, M., Donohoe, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Henderson, Highberger, Hoheisel, Hoyer, Jennings, S. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Miller, Minnix, Neelly, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Thomas, Thompson, Vaughn, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Nays: Arnberger, Awerkamp, Bergquist, Blex, Borjon, Burris, W. Carpenter, Corbet, Delperdang, Ellis, Eplee, Esau, Estes, Fairchild, Garber, Helgerson, Helmer, Highland, Hoffman, Houser, Howe, Huebert, Humphries, Jacobs, T. Johnson, Mason, Moser, Murphy, Newland, Owens, Poetter, Proehl, Rahjes, Rhiley, Sutton, Tarwater, Toplikar, Turner, Waggoner, Wasinger, Waymaster, K. Williams.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The bill passed.

**SB 160**, AN ACT concerning wildlife, parks and tourism; relating to the commercialization of wildlife; updating the reference to the guidelines of the American fisheries society; amending K.S.A. 2020 Supp. 32-1005 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 2; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Jacobs, Poetter.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The bill passed, as amended.

**SB 90**, AN ACT concerning the Kansas rural housing incentive district act; {amending the definition of "city";} permitting the use of bond proceeds for vertical renovations of certain buildings for residential purposes; amending K.S.A. 12-5249 {and K.S.A. 2020 Supp. 12-5242} and repealing the existing {sections}, was considered on final action.

On roll call, the vote was: Yeas 105; Nays 17; Present but not voting: 0; Absent or not

voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Dodson, M., Donohoe, Eplee, Esau, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, Bergkamp, Bergquist, Burris, B. Carpenter, Delperdang, Ellis, Estes, Fairchild, Garber, Helmer, Houser, Howe, Jacobs, Poetter, Rhiley, Winn.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The bill passed, as amended.

**SB 143**, AN ACT concerning agriculture; relating to grain warehouses; updating definitions; increasing maximum functional unit license and storage fees; amending K.S.A. 34-2,107 and 34-2,111 and K.S.A. 2020 Supp. 34-223, 34-228 and 34-2,112 and repealing the existing sections; also repealing K.S.A. 34-136, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 5; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burris, Fairchild, Garber, Jacobs, Kuether.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The bill passed, as amended.

**HB 2176**, AN ACT concerning cities; relating to the vacation or exclusion of territory or easements; providing procedure to challenge certain decisions of a city; amending K.S.A. 12-504 and 12-505 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 120; Nays 2; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Helmer, Rhiley.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The bill passed, as amended.

**SB 142**, AN ACT concerning wildlife, parks and recreation; relating to boating and water activities; requiring personal flotation devices as prescribed by the secretary of wildlife, parks and tourism in rules and regulations; amending K.S.A. 32-1129 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 102; Nays 20; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Baker, Ballard, Barker, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Croft, Curtis, Day, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Hoye, Humphries, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Arnberger, Awerkamp, Bergkamp, Bergquist, Burris, B. Carpenter, Corbet, Delperdang, Garber, Houser, Howe, Huebert, Jacobs, Jennings, S. Johnson, Mason, Poetter, Rhiley, Tarwater, Thomas.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The bill passed, as amended.

**REPORTS OF STANDING COMMITTEES**

Committee on **Appropriations** recommends **SB 16** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Appropriations** recommends **SB 159** be amended on page 3, following line 10, by inserting:

"Sec. 11. The Kansas department of wildlife, parks and tourism is hereby authorized and directed to pay the following amount from the fish and wildlife restitution fund for reimbursement for the purchase of deer antlers sold at auction on January 2, 2020, and to issue a salvage tag for such deer antlers to the following claimant:

Tim Nedeau

416 South Carbon

Scranton, KS 66537.....\$16,001.00";

On page 5, in line 24, by striking "11" and inserting "12";

And by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Education** recommends **SB 51** be passed.

Committee on **Education** recommends **SB 185**, as amended by Senate Committee of the Whole, be passed.

Committee on **Education** recommends **HB 2301** be amended on page 1, by striking all in lines 9 through 20; following line 20, by inserting:

"Section 1. K.S.A. 72-3217 is hereby amended to read as follows: 72-3217. (a) All ~~accredited~~ schools accredited by the state board of education, public, private or parochial, shall provide and give a complete course of instruction to all pupils, in civil government, and United States history, and in patriotism and the duties of a citizen, suitable to the elementary grades; ~~in addition thereto,~~

(b) All ~~accredited~~ high schools accredited by the state board of education, public, private or parochial, shall give a course of instruction concerning the government and institutions of the United States, and particularly of the constitution of the United States; ~~and no, and a course of instruction for grade 11 or 12 concerning personal financial literacy as provided in K.S.A. 72-3236, and amendments thereto. A student who has not taken and satisfactorily passed such course~~ courses shall not be certified as having completed the course requirements necessary for graduation from high school.";

On page 2, in line 32, after "K.S.A." by inserting "72-3217 and"; also in line 32, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "and"; in line 2, by striking all before the semicolon; also in line 2, after "requiring" by inserting "a personal financial literacy course for high school graduation"; in line 3, by striking "requiring"; by striking all in

line 4; in line 5, by striking all before "amending"; also in line 5, after "K.S.A." by inserting "72-3217 and"; in line 6, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2408** be amended on page 1, in line 9, by striking ", without consideration,"; in line 25, by striking all before "deed" and inserting "quitclaim"; and the bill be passed as amended.

Committee on **Judiciary** recommends **HCR 5014** be adopted.

Committee on **Judiciary** recommends **SB 4** be amended on page 1, following line 6, by inserting:

"Section 1. K.S.A. 2020 Supp. 8-246 is hereby amended to read as follows: 8-246.

(a) If a driver's license issued under the provisions of this act is lost or destroyed, or if a new name is acquired, the person to whom such driver's license was issued may obtain a replacement upon:

(1) Furnishing satisfactory proof of the loss, destruction or name change to the division, including an affidavit stating the circumstances of the loss, destruction or name change;

(2) payment of a fee of \$8; and

(3) furnishing proof of the person's identity as provided in subsection (b). The driver's license examiner also shall compare the applicant with the division's existing information and facial image database.

(b) For the purposes of obtaining a replacement driver's license, proof of a person's identity shall include at least two of the following documents, one of the documents shall bear the person's signature and one of the documents shall bear the person's age or one of the documents shall bear the person's signature and age:

(1) Military identification card;

(2) military dependent identification card;

(3) military discharge papers;

(4) military DD214;

(5) an original or certified copy of a state issued birth certificate;

(6) marriage license;

(7) medicare identification card;

(8) certified copy of court order specifying a change of name of the person;

(9) commercially produced school yearbook with photograph of the person, and the book is less than five years old;

(10) an official passport issued by any country;

(11) alien registration documents issued by the United States;

(12) expired or current driver's license or identification card issued by the Kansas division of vehicles or an expired or current driver's license or identification card of another state issued by similar authority, and for any document in this ~~item~~ ~~(12)~~ paragraph the document must bear a photograph of the person;

(13) student identification card bearing the photograph of the person;

(14) employee identification card bearing the photograph of the person;

(15) a copy of any federal or state income tax return bearing the signature of the person; ~~or~~

(16) an identification certificate issued by the department of corrections to an offender under the supervision of the secretary of corrections; or

(17) an identification certificate issued by a court services or community corrections agency to an offender under the probation supervision of such agency.

(c) The division may waive the furnishing of one of the documents required by subsection (b) in the case of:

(1) A person who is 65 or more years of age; or  
 (2) an inmate who has been released on parole, conditional release or expiration of the inmate's maximum sentence. When additional clarification is needed to adequately describe any of the above items, the division shall specify such clarification in making the requirement for such item.

(d) In lieu of providing one of the documents required by subsection (b), a person may recite to the satisfaction of the driver's license examiner the recent motor vehicle operating record of the person.

(e) Any person who loses a driver's license and who, after obtaining a replacement, finds the original license shall immediately surrender the original license to the division.

Sec. 2. K.S.A. 2020 Supp. 21-6201 is hereby amended to read as follows: 21-6201. (a) Riot is five or more persons acting together and without lawful authority engaging in any:

(1) Use of force or violence which produces a breach of the public peace; or  
 (2) threat to use such force or violence against any person or property if accompanied by power or apparent power of immediate execution.

(b) Incitement to riot is by words or conduct knowingly urging others to engage in riot as defined in subsection (a) under circumstances which produce a clear and present danger of injury to persons or property or a ~~branch breach~~ breach of the public peace.

(c) (1) Riot is a:  
(A) Class A person misdemeanor, except as provided in subsection (c)(1)(B); and  
(B) severity level 8, person felony if the riot occurs in a correctional facility.

(2) Incitement to riot is a:  
(A) Severity level 8, person felony, except as provided in subsection (c)(2)(B); and  
(B) severity level 6, person felony if the incitement to riot occurs in a correctional facility.

(d) As used in this section, "correctional facility" means a "correctional institution" as defined in K.S.A. 75-5202, and amendments thereto, or a jail.";

Also on page 1, in line 16, after "felony" by inserting "or a misdemeanor violation of interference with parental custody as defined in K.S.A. 2020 Supp. 21-5409, and amendments thereto, criminal restraint as defined in K.S.A. 2020 Supp. 21-5411, and amendments thereto, domestic battery as defined in K.S.A. 2020 Supp. 21-5414, and amendments thereto, stalking as defined in K.S.A. 2020 Supp. 21-5427, and amendments thereto, intimidation of a witness or victim as defined in K.S.A. 2020 Supp. 21-5909, and amendments thereto, or violation of a protective order as defined in K.S.A. 2020 Supp. 21-5924, and amendments thereto"; in line 19, after "misdemeanor" by inserting "not described in subsection (b)(1)"; following line 20, by inserting:

"Sec. 4. K.S.A. 2020 Supp. 21-6610 is hereby amended to read as follows: 21-6610. (a) When a defendant is placed on parole by the district court, on probation, assigned to a community correctional services program by a district court or under suspended sentence and such defendant is permitted to go from the judicial district of that court, supervision over the defendant may be transferred from that judicial district to another with the concurrence of the receiving chief court services officer, or if in a

community corrections services program, by the concurrence of the director of the receiving program.

(b) The district court from which the defendant is on parole, probation, community correctional services program or suspended sentence may retain jurisdiction of the defendant.

(c) When a defendant described in subsection (a) is sentenced pursuant to K.S.A. 2020 Supp. 21-6824, and amendments thereto, the district court from which the defendant is on parole, on probation, assigned to a community correctional services program or under suspended sentence may transfer jurisdiction of the defendant with the concurrence of the receiving district court and all parties.

Sec. 5. K.S.A. 2020 Supp. 21-6824 is hereby amended to read as follows: 21-6824.

(a) There is hereby established a nonprison sanction of certified drug abuse treatment programs for certain offenders who are sentenced on or after November 1, 2003. Placement of offenders in certified drug abuse treatment programs by the court shall be limited to placement of adult offenders, convicted of a felony violation of K.S.A. 2020 Supp. 21-5705 or 21-5706, and amendments thereto, whose offense is classified in grid blocks:

(1) 5-C, 5-D, 5-E, 5-F, 5-G, 5-H or 5-I of the sentencing guidelines grid for drug crimes and such offender has no felony conviction of K.S.A. 65-4142, 65-4159, 65-4161, 65-4163 or 65-4164, prior to their repeal, K.S.A. 2010 Supp. 21-36a03, 21-36a05 or 21-36a16, prior to their transfer, or K.S.A. 2020 Supp. 21-5703, 21-5705 or 21-5716, and amendments thereto, or any substantially similar offense from another jurisdiction; or

(2) 5-A, 5-B, 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes, such offender has no felony conviction of K.S.A. 65-4142, 65-4159, 65-4161, 65-4163 or 65-4164, prior to their repeal, K.S.A. 2010 Supp. 21-36a03, 21-36a05 or 21-36a16, prior to their transfer, or K.S.A. 2020 Supp. 21-5703, 21-5705 or 21-5716, and amendments thereto, or any substantially similar offense from another jurisdiction, if the person felonies in the offender's criminal history were severity level 8, 9 or 10 or nongrid offenses of the sentencing guidelines grid for nondrug crimes, and the court finds and sets forth with particularity the reasons for finding that the safety of the members of the public will not be jeopardized by such placement in a drug abuse treatment program.

(b) As a part of the presentence investigation pursuant to K.S.A. 2020 Supp. 21-6813, and amendments thereto, offenders who meet the requirements of subsection (a), unless otherwise specifically ordered by the court, shall be subject to:

(1) A drug abuse assessment which shall include a clinical interview with a mental health professional and a recommendation concerning drug abuse treatment for the offender; and

(2) a criminal risk-need assessment. The criminal risk-need assessment shall assign a ~~high or low~~ risk status to the offender.

(c) If the offender is assigned a ~~high~~ risk status as determined by the drug abuse assessment performed pursuant to subsection (b)(1) and a ~~moderate or high~~ risk status as determined by the criminal risk-need assessment performed pursuant to subsection (b)(2) that meets the criteria for participation in a drug abuse treatment program as determined by the Kansas sentencing commission, the sentencing court shall commit the offender to treatment in a drug abuse treatment program until the court determines

the offender is suitable for discharge by the court. The term of treatment shall not exceed 18 months. The court may extend the term of probation, pursuant to K.S.A. 2020 Supp. 21-6608(c)(3), and amendments thereto. The term of treatment may not exceed the term of probation.

(d) (1) Offenders who are committed to a drug abuse treatment program pursuant to subsection (c) shall be supervised by community correctional services.

(2) Offenders who are not committed to a drug abuse treatment program pursuant to subsection (c) shall be supervised by community correctional services or court services based on the result of the criminal risk assessment.

(3) If the offender is permitted to go from the judicial district of the sentencing court, the court may, pursuant to K.S.A. 2020 Supp. 21-6610, and amendments thereto: (A) Transfer supervision of the offender from that judicial district to another; and (B) either transfer or retain jurisdiction of the offender.

(e) Placement of offenders under subsection (a)(2) shall be subject to the departure sentencing statutes of the revised Kansas sentencing guidelines act.

(f) (1) Offenders in drug abuse treatment programs shall be discharged from such program if the offender:

(A) Is convicted of a new felony; or

(B) has a pattern of intentional conduct that demonstrates the offender's refusal to comply with or participate in the treatment program, as established by judicial finding.

(2) Offenders who are discharged from such program shall be subject to the revocation provisions of K.S.A. 2020 Supp. 21-6604(n), and amendments thereto.

(g) As used in this section, "mental health professional" includes licensed social workers, persons licensed to practice medicine and surgery, licensed psychologists, licensed professional counselors or registered alcohol and other drug abuse counselors licensed or certified as addiction counselors who have been certified by the secretary of corrections to treat offenders pursuant to K.S.A. 75-52,144, and amendments thereto.

(h) (1) Offenders who meet the requirements of subsection (a) shall not be subject to the provisions of this section and shall be sentenced as otherwise provided by law, if such offenders:

(A) Are residents of another state and are returning to such state pursuant to the interstate corrections compact or the interstate compact for adult offender supervision; or

(B) are not lawfully present in the United States and being detained for deportation; or

(C) do not meet the risk assessment levels provided in subsection (c).

(2) Such sentence shall not be considered a departure and shall not be subject to appeal.

(i) The court may order an offender who otherwise does not meet the requirements of subsection (c) to undergo one additional drug abuse assessment while such offender is on probation. Such offender may be ordered to undergo drug abuse treatment pursuant to subsection (a) if such offender is determined to meet the requirements of subsection (c). The cost of such assessment shall be paid by such offender.

Sec. 6. K.S.A. 75-5291 is hereby amended to read as follows: 75-5291. (a) (1) The secretary of corrections may make grants to counties for the development, implementation, operation and improvement of community correctional services that address the criminogenic needs of felony offenders including, but not limited to, adult

intensive supervision, substance abuse and mental health services, employment and residential services, and facilities for the detention or confinement, care or treatment of offenders as provided in this section except that no community corrections funds shall be expended by the secretary for the purpose of establishing or operating a conservation camp as provided by K.S.A. 75-52,127, and amendments thereto.

(2) Except as otherwise provided, placement of offenders in a community correctional services program by the court shall be limited to placement of adult offenders, convicted of a felony offense:

(A) Who, on or after July 1, 2014, are determined to be ~~moderate risk, high risk or very high risk~~ an appropriate risk level as determined by the Kansas sentencing commission by use of a statewide, mandatory, standardized risk assessment tool or instrument which shall be specified by the Kansas sentencing commission;

(B) whose severity level and criminal history score designate a presumptive prison sentence on either sentencing guidelines grid but receive a nonprison sentence as a result of departure;

(C) all offenders convicted of an offense which satisfies the definition of offender pursuant to K.S.A. 22-4902, and amendments thereto, and which is classified as a severity level 7 or higher offense and who receive a nonprison sentence, regardless of the manner in which the sentence is imposed;

(D) any offender for whom a violation of conditions of release or assignment or a nonprison sanction has been established as provided in K.S.A. 22-3716, and amendments thereto, prior to revocation resulting in the offender being required to serve any time for the sentence imposed or which might originally have been imposed in a state facility in the custody of the secretary of corrections;

(E) placed in a community correctional services program as a condition of supervision following the successful completion of a conservation camp program;

(F) who have been sentenced to community corrections supervision pursuant to K.S.A. 21-4729, prior to its repeal, or K.S.A. 2020 Supp. 21-6824, and amendments thereto; or

(G) who have been placed in a community correctional services program for supervision by the court pursuant to K.S.A. 8-1567, and amendments thereto.

(3) Notwithstanding any law to the contrary and subject to the availability of funding therefor, adult offenders sentenced to community supervision in Johnson county for felony crimes that occurred on or after July 1, 2002, but before July 1, 2013, shall be placed under court services or community corrections supervision based upon court rules issued by the chief judge of the 10<sup>th</sup> judicial district. The provisions contained in this subsection shall not apply to offenders transferred by the assigned agency to an agency located outside of Johnson county. The provisions of this paragraph shall expire on July 1, 2013.

(4) Nothing in this act shall prohibit a community correctional services program from providing services to juvenile offenders upon approval by the local community corrections advisory board. Grants from community corrections funds administered by the secretary of corrections shall not be expended for such services.

(5) The court may require an offender for whom a violation of conditions of release or assignment or a nonprison sanction has been established, as provided in K.S.A. 22-3716, and amendments thereto, to serve any time for the sentence imposed or which might originally have been imposed in a state facility in the custody of the secretary of

corrections without a prior assignment to a community correctional services program if the court finds and sets forth with particularity the reasons for finding that the safety of the members of the public will be jeopardized or that the welfare of the inmate will not be served by such assignment to a community correctional services program.

(b) (1) In order to establish a mechanism for community correctional services to participate in the department of corrections annual budget planning process, the secretary of corrections shall establish a community corrections advisory committee to identify new or enhanced correctional or treatment interventions designed to divert offenders from prison.

(2) The secretary shall appoint one member from the southeast community corrections region, one member from the northeast community corrections region, one member from the central community corrections region and one member from the western community corrections region. The deputy secretary of community and field services shall designate two members from the state at large. The secretary shall have final appointment approval of the members designated by the deputy secretary. The committee shall reflect the diversity of community correctional services with respect to geographical location and average daily population of offenders under supervision.

(3) Each member shall be appointed for a term of three years and such terms shall be staggered as determined by the secretary. Members shall be eligible for reappointment.

(4) The committee, in collaboration with the deputy secretary of community and field services or the deputy secretary's designee, shall routinely examine and report to the secretary on the following issues:

- (A) Efficiencies in the delivery of field supervision services;
  - (B) effectiveness and enhancement of existing interventions;
  - (C) identification of new interventions; and
  - (D) statewide performance indicators.
- (5) The committee's report concerning enhanced or new interventions shall address:
- (A) Goals and measurable objectives;
  - (B) projected costs;
  - (C) the impact on public safety; and
  - (D) the evaluation process.

(6) The committee shall submit its report to the secretary annually on or before July 15 in order for the enhanced or new interventions to be considered for inclusion within the department of corrections budget request for community correctional services or in the department's enhanced services budget request for the subsequent fiscal year.";

Also on page 1, in line 21, before "K.S.A." by inserting "K.S.A. 75-5291 and"; also in line 21, after "Supp." by inserting "8-246, 21-6201,"; also in line 21, by striking "is" and inserting ", 21-6610 and 21-6824 are";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 2, after "to" by inserting "issuance of identification certificate by court services and community corrections agencies for use to obtain a replacement driver's license; increasing criminal penalties for riot and incitement to riot in a correctional facility; modifying criminal penalties for"; in line 3, by striking all before the semicolon and inserting "clarifying supervision of offenders in the certified drug abuse treatment program; authorizing the sentencing commission to determine risk levels for participation in such program"; also in line 3, after "amending" by inserting

"K.S.A. 75-5291 and"; also in line 3, after "Supp." by inserting "8-246, 21-6201,"; also in line 3, after "21-6322" by inserting ", 21-6610 and 21-6824"; in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 60** be amended on page 2, in line 4, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 122** be amended on page 11, in line 42, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 172**, as amended by Senate Committee, be amended on page 1, in line 31, by striking ", vandalize, deface"; in line 35, by striking ", vandalizing, defacing";

On page 2, in line 2, by striking ", vandalizing, defacing";

On page 3, in line 1, by striking "a" and inserting "any"; in line 3, by striking "facility generating electrical power" and inserting "electric generation facility"; in line 4, by striking all after "electric"; in line 5, by striking all before the comma and inserting "distribution or transmission lines"; in line 14, after "telecommunications" by inserting "or video services"; in line 25, after "program" by inserting ", a facility operated by the office of laboratory services under the supervision of the secretary of health and environment pursuant to K.S.A. 75-5608, and amendments thereto, the national bio and agro-defense facility or the biosecurity research institute at Kansas state university"; in line 26, after "state" by inserting "as a hazard class B or C dam"; also in line 26, after "or" by inserting "by the"; in line 27, after "facility" by inserting "or natural gas transmission facility";

On page 5, in line 39, by striking all after the semicolon; by striking all in lines 40 through 42; in line 43, by striking all before "K.S.A."; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 204** be amended on page 1, in line 12, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 283**, as amended by Senate Committee of the Whole, be amended on page 3, in line 33, by striking all after "to"; by striking all in line 34; in line 38, by striking all after "occurring"; in line 39, by striking all before the second comma and inserting "between March 12, 2020, and March 31, 2022";

On page 4, by striking all in line 4; following line 23, by inserting:

"Sec. 6. K.S.A. 2020 Supp. 60-5508 is hereby amended to read as follows: 60-5508. (a) The provisions of K.S.A. 2020 Supp. 60-5504, 60-5505 and 60-5507, and amendments thereto, shall apply retroactively to any cause of action accruing on or after March 12, 2020.

(b) The provisions of K.S.A. 2020 Supp. ~~60-5503~~ and 60-5506, and amendments thereto, shall apply retroactively to any cause of action accruing on or after March 12, 2020, and prior to termination of the state of disaster emergency related to the COVID-19 public health emergency declared pursuant to K.S.A. 48-924, and amendments thereto.

(c) The provisions of K.S.A. 2020 Supp. 60-5503, and amendments thereto, shall apply retroactively to any cause of action accruing on or after March 12, 2020, and prior

to March 31, 2022.";

On page 6, in line 8, before "and" by inserting "60-5508";

And by renumbering sections accordingly;

On page 1, in the title, in line 17, before "and" by inserting "60-5508"; and the bill be passed as amended.

Committee on **Transportation and Public Safety Budget** recommends **HB 2363** be amended on page 1, in line 36, by striking "the" and inserting "a"; also in line 36, by striking all after "rate";

On page 2, in line 1, by striking "\$80" and inserting "not to exceed \$100"; also in line 1, after "hour" by inserting "through June 30, 2023, and at a rate not to exceed \$120 per hour on and after July 1, 2023";

On page 1, in the title, in line 2, by striking all after the semicolon; in line 3, by striking all before the semicolon and inserting "increasing the maximum rate paid to appointed counsel"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 127**, as amended by Senate Committee of the Whole, be amended on page 15, in line 36, after "(e)" by inserting "(1)"; following line 42, by inserting:

"(2) A person who is assessed a fine or court costs for a traffic citation may petition the court that assessed the fine or costs at any time to waive payment of the fine or costs, or any portion thereof. If it appears to the satisfaction of the court that payment of the amount due will impose manifest hardship on the person or the person's immediate family, the court may waive payment of all or part of the amount due or modify the method of payment.";

On page 1, in the title, in line 5, after the semicolon by inserting "permitting the waiver of traffic fines and court costs in certain manifest hardship situations;"; and the bill be passed as amended.

## REPORT OF STANDING COMMITTEE

Your Committee on Calendar and Printing recommends on requests for resolutions and certificates that

**Request No. 30**, by Representative Blaine Finch, congratulating Allen Durbin, on his retirement for over 30 years of EMT service to Franklin County.

**Request No. 31**, by Representative Dave Baker, commending Paula K. Gant of her 37.5 years service at Diversicare of Council Grove.

**Request No. 32**, by Representative Sydney Carlin, honoring Donald E. Rathbone and Lynne Rathbone, on their outstanding professional accomplishments, their dedication to Kansas State University and the State of Kansas.

**Request No. 33**, by Representative KC Ohaebosim, honoring the memory of Julie I Onwugburor, may her gentle soul rest in peace.

**Request No. 34**, by Representative Lance Neelly, commending Mike Saylor on his 27 years in law enforcement service in the State of Kansas as he retires from active duty.

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hawkins, the committee report was adopted.

**COMMITTEE ASSIGNMENT CHANGES**

Speaker pro tem Finch announced the appointment of Rep. Vaughn to replace Rep. Clayton on committee on Taxation on March 25, 2021.

Also, the appointment of Rep. Miller to replace Rep. Ohaebosim on committee on Judiciary on March 25, 2021.

Also, the appointment Rep. Highland to replace Rep. B. Carpenter on committee on Federal and State Affairs on March 26, 2021.

On motion of Rep. Hawkins the House adjourned pro forma until 8:30 a.m. on Friday, March 26, 2021.

# Journal of the House

FIFTY-SECOND DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, March 26, 2021, 8:30 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Finch in the chair.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Commerce, Labor and Economic Development: **SB 2**.

Taxation: **HB 2452**.

## MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2066** and has appointed Senators Alley, Hilderbrand and Faust-Goudeau as conferees on the part of the Senate.

Announcing passage of **HB 2007**, as amended, **HB 2026**, as amended, **HB 2071**, as amended, **HB 2243**, as amended.

Announcing passage of **Sub HB 2166**, as amended.

Announcing passage of **HB 2252**, as amended by **S Sub HB 2252**.

Announcing passage of **HB 2126**, **HB 2155**, **HB 2298**.

The Senate nonconcurrs in House amendments to **SB 175**, requests a conference and has appointed Senators Hilderbrand, Gossage and Pettey as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 238**, requests a conference and has appointed Senators Hilderbrand, Gossage and Pettey as conferees on the part of the Senate.

The Senate concurs in House amendments to **SB 24**.

The Senate concurs in House amendments to **SB 77**, and requests return of the bill.

The Senate nonconcurrs in House amendments to **SB 58**, requests a conference and has appointed Senators Warren, Wilborn and Haley as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 103**, requests a conference and has appointed Senators Warren, Wilborn and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 107**, requests a conference and has appointed Senators Warren, Wilborn and Haley as conferees on the part of the Senate.

Announcing passage of **SB 145, SB 158**.

Announcing passage of **HB 2070, HB 2112, HB 2145**.

Announcing passage of **HB 2254**, as amended; **HB 2072**, as amended by **S Sub HB 2072, HB 2104**, as amended by **S Sub HB 2104**.

## INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

**SB 145, SB 158**.

## REPORTS OF STANDING COMMITTEES

Committee on **Commerce, Labor and Economic Development** recommends **SB 124** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 124," as follows:

"House Substitute for SENATE BILL NO. 124

By Committee on Commerce, Labor and Economic Development

"AN ACT concerning STAR bonds; prohibiting public officials from benefiting from STAR bond projects; relating to the financing of STAR bond projects and rural redevelopment projects; eligible areas; public notice of hearings on city or county website; posting of documents and link to department of commerce database; disclosure of names of developer; major business facility; real estate transfers; plan for tracking the number of visitors; feasibility study requirements; disclosure of state, federal and local tax incentives within STAR bond district; capital investment and annual sales requirements; STAR bond districts; contiguity; project costs; sunset date; amending K.S.A. 2020 Supp. 12-17,162, 12-17,165, 12-17,166, 12-17,169, 12-17,171 and 12-17,179 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for SB 124** was thereupon introduced and read by title.)

Committee on **Federal and State Affairs** recommends **SB 84** be amended by substituting a new bill to be designated as "House Substitute for Substitute for SENATE BILL NO. 84," as follows:

"House Substitute for Substitute for SENATE BILL NO. 84

By Committee on Federal and State Affairs

"AN ACT concerning gaming; relating to the Kansas expanded lottery act; Kansas lottery and Kansas racing and gaming commission, rules and regulations; authorizing sports wagering; allowing Sedgwick county to vote to permit electronic gaming machines at a racetrack gaming facility; creating the sports wagering receipts fund and the white collar crime fund; amending K.S.A. 46-2301, 74-8702, 74-8710, 74-8711, 74-8716, 74-8718, 74-8733, 74-8734, 74-8741, 74-8743, 74-8751, 74-8752, 74-8757, 74-8760, 74-8761, 75-6202, 75-6204, 75-6217 and 79-4806 and K.S.A. 2020 Supp. 21-6403 and 21-6507 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for Sub SB 84** was thereupon introduced and read by title.)

Committee on **Judiciary** recommends **HB 2412** be amended on page 2, in line 12, by striking "to the credit of" and inserting ". The state treasurer shall credit 75% of each such deposit to"; also in line 12, after "fund" by inserting "and 25% of each such deposit to the municipalities fight addiction fund"; in line 23, by striking "All"; by striking all in lines 24 through 27 and inserting:

"(c) (1) There is hereby established in the state treasury the municipalities fight addiction fund, and such fund shall be administered by the attorney general to disburse funds to municipalities. Moneys in the municipalities fight addiction fund shall be expended subject to an agreement between the attorney general, the Kansas association of counties and the league of Kansas municipalities for projects and activities that prevent, reduce, treat or mitigate the effects of substance abuse and addiction or to reimburse the municipality for previous expenses related to substance abuse mitigation or arising from covered conduct. Moneys may also be used to reimburse municipalities for the payment of litigation costs, expenses or attorney fees related to opioid litigation, but a municipality shall first seek payment from applicable outside settlement sources or settlement fee funds prior to seeking payment from the municipalities fight addiction fund.

(2) An agreement between the attorney general, the Kansas association of counties and the league of Kansas municipalities shall determine the method for disbursing money from the fund, and moneys shall be disbursed to municipalities that have not filed opioid litigation and municipalities that have filed opioid litigation, but have entered into an agreement with the attorney general prior to January 1, 2022, that releases the municipality's legal claims arising from covered conduct to the attorney general and assigns any future legal claims arising from covered conduct to the attorney general.

(d) All expenditures from the Kansas fights addiction fund and the municipalities fight addiction fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports pursuant to vouchers approved by the attorney general or the attorney general's designee.";

Also on page 2, in line 37, after "with" by inserting "the Kansas association of";

On page 3, in line 7, by striking all after the first "Kansas"; in line 8, by striking all before the period;

On page 4, following line 16, by inserting:

"(3) The attorney general may take any action necessary to ensure the greatest possible recovery from opioid litigation and to seek funds for the Kansas fights addiction fund and the municipalities fight addiction fund."; in line 27, by striking all before the period and inserting "deposited in the Kansas fights addiction fund"; in line 29, by striking "maintain" and inserting "become a party to"; in line 31, after "filed" by inserting "or became a party to"; in line 35, after "any" by inserting "municipality that filed or became a party to opioid"; also in line 35, by striking "filed";

On page 1, in the title, in line 5, after "fund" by inserting "and municipalities fight addiction fund"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 273** be amended by substituting a new bill to be designated as "House Substitute for Substitute for SENATE BILL NO. 273," as follows:

"House Substitute for Substitute for SENATE BILL NO. 273

By Committee on Judiciary

"AN ACT concerning tobacco products; relating to the sale thereof; remitting certain payments from tobacco product manufacturers to the credit of the Kansas endowment for youth fund rather than deposit into escrow upon certification by the attorney general; amending K.S.A. 50-6a01 and 50-6a03 and K.S.A. 2020 Supp. 50-6a04 and 50-6a09 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub for Sub SB 273** was thereupon introduced and read by title.)

Committee on **Taxation** recommends **HB 2414** be passed.

Committee on **Taxation** recommends **SB 50**, as amended by Senate Committee, be amended on page 2, in line 24, after "(a)" by inserting "(1)"; in line 29, by striking "in the previous" and inserting "during the current or immediately preceding"; in line 31, by striking "(1)" and inserting "(A)"; in line 33, by striking "(2)" and inserting "(B)"; following line 36, by inserting:

"(2) For any marketplace facilitator who satisfies the provisions of this subsection for sales in the current calendar year for the first time, such marketplace facilitator shall be required to collect and remit the tax on any sales in excess of \$100,000 of cumulative gross receipts from sales in the current calendar year for delivery into this state.";

On page 4, following line 43, by inserting:

"New Sec. 5. Notwithstanding any other provision of law, for any individual whose identity was fraudulently used to secure unemployment compensation, if such individual never received such compensation, such compensation shall not be considered gross income and shall not be taxable for Kansas income tax purposes after determination by the department of labor that the benefits were obtained fraudulently by another individual.

Sec. 6. K.S.A. 79-3221 is hereby amended to read as follows: 79-3221. (a) All returns required by this act shall be made as nearly as practical in the same form as the corresponding form of income tax return by the United States. Unless another identifying number has been assigned to an individual by the internal revenue service for purposes of filing such individual's federal income tax return, the social security number issued to an individual, the individual's spouse, and all dependents of such individual for purposes of section 205(c)(2)(A) of the social security act shall be used as the identifying number and included on the return when filing such return.

(b) All returns shall be filed in the office of the director of taxation on or before the 15<sup>th</sup> day of the fourth month following the close of the taxable year, except as provided in subsection (c) ~~hereof~~. Tentative returns may be filed before the close of the taxable year and the estimated tax computed on such return, paid, but no interest will be paid on any overpayment of tax liability, computed on such tentative return.

(c) ~~(1)~~ The director of taxation may grant a reasonable extension of time for filing returns in accordance with rules and regulations of the secretary of revenue. Whenever any such extension of time to file is requested by a taxpayer and granted by the director

with respect to any tax year commencing after December 31, 1992, no penalty authorized by K.S.A. 79-3228, and amendments thereto, shall be imposed if 90% of the liability is paid on or before the original due date.

(2) For any tax year commencing after December 31, 2019, any taxpayer filing a corporate tax return shall file the return in the office of the director of taxation;

(A) Not later than one month after the due date established under the federal internal revenue code, including any applicable extensions granted by the internal revenue service; and

(B) no penalty authorized by K.S.A. 79-3228, and amendments thereto, shall be imposed if the return is filed within one month after receiving an extension to file a tax return with the internal revenue service. The taxpayer shall not be required to file an extension request with the director pursuant to this subparagraph.

(d) In the case of an individual serving in the armed forces of the United States, or serving in support of such armed forces, in an area designated by the president of the United States by executive order as a "combat zone" as defined under 26 U.S.C. § 112 at any time during the period designated by the president by executive order as the period of combatant activities in such zone for the purposes of such section, or hospitalized as a result of injury received or sickness incurred while serving in such an area during such time, the period of service in such area, plus the period of continuous qualified hospitalization attributable to such injury or sickness, and the next 180 days thereafter, shall be disregarded in determining, under article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, in respect to any tax liability, including any interest, penalty, additional amount, or addition to the tax, of such individual:

(1) Whether any of the following acts was performed within the time prescribed therefor: (A) Filing any return of income tax; (B) payment of any income tax or installment thereof; (C) filing a notice of appeal with the director of taxation or the state board of tax appeals for redetermination of a deficiency or for a review of a decision rendered by either the director or the state board of tax appeals; (D) allowance of a credit or refund of any income tax; (E) filing a claim for credit or refund of any income tax; (F) bringing suit upon any such claim for credit or refund; (G) assessment of any income tax; (H) giving or making any notice or demand for the payment of any income tax, or with respect to any liability to the state of Kansas in respect of any income tax; (I) collection, by the director of taxation or the director's agent, by warrant, levy or otherwise, of the amount of any liability in respect to any income tax; (J) bringing suit by the state of Kansas, or any officer on its behalf, in respect to any liability in respect of any income tax; and (K) any other act required or permitted under the Kansas income tax act specified in rules and regulations adopted by the secretary of revenue under this section;

(2) the amount of any credit or refund.

(e) (1) Subsection (d) shall not apply for purposes of determining the amount of interest on any overpayment of tax.

(2) If an individual is entitled to the benefits of subsection (d) with respect to any return and such return is timely filed, determined after the application of ~~subsection (d), subsections (e)(5) and (e)(7)~~ of K.S.A. 79-32,105(d), (e)(5) and (e)(7), and amendments thereto, shall not apply.

(f) The provisions of subsections (d) through (j) shall apply to the spouse of any

individual entitled to the benefits of subsection (d). Except in the case of the combat zone designated for purposes of the Vietnam conflict, this subsection shall not cause subsections (d) through (j) to apply for any spouse for any taxable year beginning more than two years after the date designated under 26 U.S.C. § 112, and amendments thereto, as the date of termination of combatant activities in a combat zone.

(g) The period of service in the area referred to in subsection (d) shall include the period during which an individual entitled to benefits under subsection (d) is in a missing status, within the meaning of 26 U.S.C. § 6013(f)(3).

(h) (1) Notwithstanding the provisions of subsection (d), any action or proceeding authorized by K.S.A. 79-3229, and amendments thereto, as well as any other action or proceeding authorized by law in connection therewith, may be taken, begun or prosecuted. In any other case in which the secretary determines that collection of the amount of any assessment would be jeopardized by delay, the provisions of subsection (d) shall not operate to stay collection of such amount by levy or otherwise as authorized by law. There shall be excluded from any amount assessed or collected pursuant to this subsection the amount of interest, penalty, additional amount, and addition to the tax, if any, in respect of the period disregarded under subsection (d). In any case to which this ~~subsections~~ subsection relates, if the secretary is required to give any notice to or make any demand upon any person, such requirement shall be deemed to be satisfied if the notice or demand is prepared and signed, in any case in which the address of such person last known to the secretary is in an area for which United States post offices under instructions of the postmaster general are not, by reason of the combatant activities, accepting mail for delivery at the time the notice or demand is signed. In such case the notice or demand shall be deemed to have been given or made upon the date it is signed.

(2) The assessment or collection of any tax under the provisions of article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, or any action or proceeding by or on behalf of the state in connection therewith, may be made, taken, begun or prosecuted in accordance with law, without regard to the provisions of subsection (d), unless prior to such assessment, collection, action or proceeding it is ascertained that the person concerned is entitled to the benefits of subsection (d).

(i) (1) Any individual who performed Desert Shield services, and the spouse of such individual, shall be entitled to the benefits of subsections (d) through (j) in the same manner as if such services were services referred to in subsection (d).

(2) For purposes of this subsection, the term "Desert Shield services" means any services in the armed forces of the United States or in support of such armed forces if:

(A) Such services are performed in the area designated by the president as the "Persian Gulf Desert Shield area"; and

(B) such services are performed during the period beginning on August 2, 1990, and ending on the date on which any portion of the area referred to in subsection (i)(2) (A) is designated by the president as a combat zone pursuant to 26 U.S.C. § 112.

(j) For purposes of subsection (d), the term "qualified hospitalization" means:

(1) Any hospitalization outside the United States; and

(2) any hospitalization inside the United States, except that not more than five years of hospitalization may be taken into account under this subsection. This subsection shall not apply for purposes of applying subsections (d) through (j) with respect to the spouse of an individual entitled to the benefits of subsection (d).

Sec. 7. K.S.A. 79-3221o is hereby amended to read as follows: ~~79-3221o. (a) In order to raise awareness of liabilities of use taxes levied in article 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, for purchases of tangible personal property made outside this state to be consumed within this state, and to increase compliance with such provisions of law, The director of taxation is hereby directed to not include a line for the remittance of sales tax on out-of-state and internet purchases where the tax was not paid on individual tax returns for tax years beginning on or after July January 1, ~~2016~~ 2022.~~

~~(b) The director shall include the following information in the income tax form instructions:~~

~~(1) An explanation of an individual's obligation to pay use tax on items purchased from mail order, internet or other sellers that do not collect state and local sales and use taxes on the items; and~~

~~(2) a method to help an individual determine the amount of use tax the individual owes. The method may include a table that gives the average amounts of use tax payable by taxpayers in various income ranges.~~

~~(c) No penalties or interest shall be applied with respect to any taxes remitted pursuant to the provisions of this section.~~

Sec. 8. K.S.A. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been

deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to K.S.A. 79-32,117(c)(xv), and amendments thereto, or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal

adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l)

of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2020 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2020 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(xxvi) For all taxable years beginning after December 31, 2016, the amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 72-99a07, and amendments thereto, and is also claimed as an itemized deduction for federal income tax purposes.

(xxvii) For all taxable years commencing after December 31, 2020, the amount deducted by reason of a carryforward of disallowed business interest pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received which are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain which is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form which were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b(a) and 228c(a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, which accrues to the taxpayer who is a stockholder of such corporation and which is not distributed to the stockholders as dividends of the corporation. For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2017, the cumulative amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for

each designated beneficiary that are contributed to: (1) A family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary; or (2) an achieving a better life experience (ABLE) account established under the Kansas ABLE savings program or a qualified ABLE program established and maintained by another state or agency or instrumentality thereof pursuant to section 529A of the internal revenue code of 1986, as amended, for the purpose of saving private funds to support an individual with a disability. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 75-643 and 75-652, and amendments thereto, and the provisions of such sections are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, ~~or pursuant to section 1 or section 2 of chapter 207 of the 2005 Session Laws of Kansas, and amendments thereto,~~ to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act which are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9,

code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(xxv) For all taxable years commencing after December 31, 2020, 100% of global intangible low-taxed income under section 951A of the federal internal revenue code of 1986, before any deductions allowed under section 250(a)(1)(B) of such code.

(xxvi) For all taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 163(j) of the federal internal revenue code of 1986, as in effect on January 1, 2018.

(xxvii) For taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 274 of the federal internal revenue code of 1986 for meal expenditures shall be allowed to the extent such expense was deductible for determining federal income tax and was allowed and in effect on December 31, 2017.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner which relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

(f) No taxpayer shall be assessed penalties and interest from the underpayment of taxes due to changes to this section that became law on July 1, 2017, so long as such underpayment is rectified on or before April 17, 2018.

Sec. 9. K.S.A. 79-32,119 is hereby amended to read as follows: 79-32,119. (a) The Kansas standard deduction of an individual, including a husband and wife who are either both residents or who file a joint return as if both were residents, shall be equal to the sum of the standard deduction amount allowed pursuant to this section, and the additional standard deduction amount allowed pursuant to this section for each such deduction allowable to such individual or to such husband and wife under the federal internal revenue code. For tax year 1998 through tax year 2012, the standard deduction amount shall be as follows: Single individual filing status, \$3,000; married filing status, \$6,000; and head of household filing status, \$4,500.

(b) For tax year 1998, and all tax years thereafter, the additional standard deduction amount shall be as follows: Single individual and head of household filing status, \$850; and married filing status, \$700.

(c) (1) For tax year 2013, and all tax years thereafter through tax year 2020, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$3,000; married filing status, \$7,500; and head of household filing status, \$5,500.

(2) For tax year 2021, and all tax years thereafter, the standard deduction amount of an individual, including husband and wife who are either both residents or who file a joint return as if both were residents, shall be as follows: Single individual filing status, \$3,500; married filing status, \$8,000; and head of household filing status, \$6,000.

(d) For purposes of the foregoing this section, the federal standard deduction allowable to a husband and wife filing separate Kansas income tax returns shall be determined on the basis that separate federal returns were filed, and the federal standard deduction of a husband and wife filing a joint Kansas income tax return shall be determined on the basis that a joint federal income tax return was filed.

Sec. 10. K.S.A. 79-32,120 is hereby amended to read as follows: 79-32,120. (a) (1) (A) For all tax years prior to tax year 2021, if federal taxable income of an individual is determined by itemizing deductions from such individual's federal adjusted gross income, such individual may elect to deduct the Kansas itemized deduction in lieu of the Kansas standard deduction.

(B) For tax year 2021, and all tax years thereafter, an individual may elect to deduct

the Kansas itemized deduction in lieu of the Kansas standard deduction, regardless of whether or not such individual's federal taxable income is determined by itemizing deductions from such individual's federal adjusted gross income.

~~(2) For the tax year commencing on January 1, 2013, the Kansas itemized deduction of an individual means 70% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.~~

~~(3) For the tax year commencing on January 1, 2014, the Kansas itemized deduction of an individual means 65% of the total amount of deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section.~~

~~(4) For the tax years commencing on and after January 1, 2015, and ending before January 1, 2018, the Kansas itemized deduction of an individual means the following deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section: (A) 100% of charitable contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code; (B) 50% of the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code; and (C) 50% of the amount of taxes on real and personal property as provided in section 164(a) of the federal internal revenue code.~~

~~(5)(3) For the tax year commencing on and after January 1, 2018, and ending before January 1, 2019, the Kansas itemized deduction of an individual means the following deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section: (A) 100% of charitable contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code; (B) 50% of expenses for medical care allowable as deductions in section 213 of the federal internal revenue code; (C) 50% of the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code; and (D) 50% of the amount of taxes on real and personal property as provided in section 164(a) of the federal internal revenue code.~~

~~(6)(4) For the tax year commencing on and after January 1, 2019, and ending before January 1, 2020, the Kansas itemized deduction of an individual means the following deductions from federal adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section: (A) 100% of charitable contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code; (B) 75% of expenses for medical care allowable as deductions in section 213 of the federal internal revenue code; (C) 75% of the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code; and (D) 75% of the amount of taxes on real and personal property as provided in section 164(a) of the federal internal revenue code.~~

~~(7)(5) For the tax years commencing on and after January 1, 2020, the Kansas itemized deduction of an individual means the following deductions from federal~~

adjusted gross income, other than federal deductions for personal exemptions, as provided in the federal internal revenue code with the modifications specified in this section: (A) 100% of charitable contributions that qualify as charitable contributions allowable as deductions in section 170 of the federal internal revenue code; (B) 100% of expenses for medical care allowable as deductions in section 213 of the federal internal revenue code; (C) 100% of the amount of qualified residence interest as provided in section 163(h) of the federal internal revenue code; and (D) 100% of the amount of taxes on real and personal property as provided in section 164(a) of the federal internal revenue code.

(b) The total amount of deductions from federal adjusted gross income shall be reduced by the total amount of income taxes imposed by or paid to this state or any other taxing jurisdiction to the extent that the same are deducted in determining the federal itemized deductions and by the amount of all depreciation deductions claimed for any real or tangible personal property upon which the deduction allowed by K.S.A. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto, is or has been claimed.

Sec. 11. K.S.A. 79-32,138 is hereby amended to read as follows: 79-32,138. (a) Kansas taxable income of a corporation taxable under this act shall be the corporation's federal taxable income for the taxable year with the modifications specified in this section, except that in determination of such federal taxable income for all taxable years commencing after December 31, 2020, section 118 of the federal internal revenue code of 1986 shall be applied as in effect on December 21, 2017.

(b) There shall be added to federal taxable income:

(i) The same modifications as are set forth in K.S.A. 79-32,117(b), and amendments thereto, with respect to resident individuals, except subsections (b)(xix), (b)(xx), (b)(xxi), (b)(xxii) and (b)(xxiii);

(ii) the amount of all depreciation deductions claimed for any property upon which the deduction allowed by K.S.A. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto, is claimed;

(iii) the amount of any charitable contribution deduction claimed for any contribution or gift to or for the use of any racially segregated educational institution;

(iv) for taxable years commencing December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2020 Supp. 40-2,190, and amendments thereto;

(v) the amount of any charitable contribution deduction claimed for any contribution or gift made to a scholarship granting organization to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 72-4357, and amendments thereto; ~~and~~

(vi) the federal net operating loss deduction; and

(vii) for all taxable years commencing after December 31, 2020, the amount of any deduction claimed under section 250(a)(1)(B) of the federal internal revenue code of 1986.

(c) There shall be subtracted from federal taxable income:

(i) ~~The same modifications as are set forth in K.S.A. 79-32,117(c), and amendments thereto, with respect to resident individuals, except subsection (c)(xx);~~

(ii) the federal income tax liability for any taxable year commencing prior to December 31, 1971, for which a Kansas return was filed after reduction for all credits thereon, except credits for payments on estimates of federal income tax, credits for gasoline and lubricating oil tax, and for foreign tax credits if, on the Kansas income tax return for such prior year, the federal income tax deduction was computed on the basis of the federal income tax paid in such prior year, rather than as accrued. Notwithstanding the foregoing, the deduction for federal income tax liability for any year shall not exceed that portion of the total federal income tax liability for such year which bears the same ratio to the total federal income tax liability for such year as the Kansas taxable income, as computed before any deductions for federal income taxes and after application of subsections (d) and (e) ~~of this section~~ as existing for such year, bears to the federal taxable income for the same year;

(iii) an amount for the amortization deduction allowed pursuant to K.S.A. 79-32,221, 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250, 79-32,255 or 79-32,256, and amendments thereto;

(iv) for all taxable years commencing after December 31, 1987, the amount included in federal taxable income pursuant to the provisions of section 78 of the internal revenue code; ~~and~~

(v) ~~for all taxable years commencing after December 31, 1987, 80% of dividends from corporations incorporated outside of the United States or the District of Columbia which are included in federal taxable income. As used in this paragraph, "dividends" includes amounts included in income under section 965 of the federal internal revenue code of 1986, net of the deduction permitted by section 965(c) of the federal internal revenue code of 1986. For all taxable years commencing after December 31, 2020, this paragraph does not apply to amounts excluded from income pursuant to K.S.A. 79-32,117(c)(xxv), and amendments thereto, or amounts added back pursuant to K.S.A. 79-32,138(b)(vii), and amendments thereto; and~~

(vi) ~~for all taxable years commencing after December 31, 2020, the amount disallowed as a deduction pursuant to section 162(r) of the federal internal revenue code of 1986, as in effect on January 1, 2018.~~

(d) If any corporation derives all of its income from sources within Kansas in any taxable year commencing after December 31, 1979, its Kansas taxable income shall be the sum resulting after application of subsections (a) through (c) ~~hereof~~. Otherwise, such corporation's Kansas taxable income in any such taxable year, after excluding any refunds of federal income tax and before the deduction of federal income taxes provided by subsection (c)(ii) shall be allocated as provided in K.S.A. 79-3271 ~~to K.S.A. through 79-3293, inclusive,~~ and amendments thereto, plus any refund of federal income tax as determined under K.S.A. 79-32,117(b)(iv), and amendments thereto, and minus the deduction for federal income taxes as provided by subsection (c)(ii) shall be such corporation's Kansas taxable income.

(e) A corporation may make an election with respect to its first taxable year commencing after December 31, 1982, whereby no addition modifications as provided for in subsection (b)(ii) and subtraction modifications as provided for in subsection (c) (iii) as those subsections existed prior to their amendment by this act, shall be required

to be made for such taxable year.

Sec. 12. K.S.A. 79-32,143 is hereby amended to read as follows: 79-32,143. (a) ~~(1)~~ (A) For net operating losses incurred in taxable years ~~beginning after December 31, 1987, prior to January 1, 2018,~~ a net operating loss deduction shall be allowed in the same manner that it is allowed under the federal internal revenue code, except that such net operating loss may only be carried forward to each of the 10 taxable years following the taxable year of the net operating loss.

(B) For net operating losses incurred in taxable years beginning after December 31, 2017, a net operating loss deduction shall be allowed in the same manner that it is allowed under the federal internal revenue code, except that such net operating loss deduction may only be carried forward.

(2) For net operating farm losses, as defined by ~~subsection (i)~~ of section 172 of the federal internal revenue code, incurred in taxable years beginning after December 31, 1999, a net operating loss deduction shall be allowed in the same manner that it is allowed under the federal internal revenue code except that such net operating loss may be carried forward to each of the 10 taxable years following the taxable year of the net operating loss.

(3) The amount of the net operating loss that may be carried back or forward for Kansas income tax purposes shall be that portion of the federal net operating loss allocated to Kansas under this act in the taxable year that the net operating loss is sustained.

(b) The amount of the loss to be carried back or forward will be the federal net operating loss after: (1) All modifications required under this act applicable to the net loss in the year the loss was incurred; and (2) after apportionment as to source in the case of corporations, nonresident individuals for losses incurred in taxable years beginning prior to January 1, 1978, and nonresident estates and trusts in the same manner that income for such corporations, nonresident individuals, estates and trusts is required to be apportioned.

(c) If a net operating loss was incurred in a taxable year beginning prior to January 1, 1988, the amount of the net operating loss that may be carried back and carried forward and the period for which it may be carried back and carried forward shall be determined under the provisions of the Kansas income tax laws ~~which that~~ were in effect during the year that such net operating loss was incurred.

(d) If any portion of a net operating loss described in subsections (a) and (b) is not utilized prior to the final year of the carryforward period provided in subsection (a), a refund shall be allowable in such final year in an amount equal to the refund which would have been allowable in the taxable year the loss was incurred by utilizing the three year carryback provided under K.S.A. 79-32,143, as in effect on December 31, 1987, multiplied by a fraction, the numerator of which is the unused portion of such net operating loss in the final year, and the denominator of which is the amount of such net operating loss ~~which that~~ could have been carried back to the three years immediately preceding the year in which the loss was incurred. In no event may such fraction exceed ± one.

(e) Notwithstanding any other provisions of the Kansas income tax act, the net operating loss as computed under subsections (a), (b) and (c) ~~of this section~~ shall be allowed in full in determining Kansas taxable income or at the option of the taxpayer allowed in full in determining Kansas adjusted gross income.

(f) No refund of income tax ~~which that~~ results from a net operating farm loss carry back shall be allowed in an amount exceeding \$1,500 in any year. Any overpayment in excess of \$1,500 may be carried forward to any year or years after the year of the loss and may be claimed as a credit against the tax. The refundable portion of such credit shall not exceed \$1,500 in any year.

(g) For tax year 2013, and all tax years thereafter, a net operating loss allowed by this section shall only be available to taxpayers subject to the income tax on corporations imposed pursuant to ~~subsection (e) of~~ K.S.A. 79-32,110(c), and amendments thereto, and used only to determine such taxpayer's corporate income tax liability.

Sec. 13. K.S.A. 79-32,143a is hereby amended to read as follows: 79-32,143a. (a) For taxable years beginning after December 31, ~~2014~~ 2020, a taxpayer may elect to take an expense deduction from Kansas net income before expensing or recapture allocated or apportioned to this state for the cost of the following property placed in service in this state during the taxable year: (1) Tangible property eligible for depreciation under the modified accelerated cost recovery system in section 168 of the internal revenue code, as amended, but not including residential rental property, nonresidential real property, any railroad grading or tunnel bore or any other property with an applicable recovery period in excess of 25 years as defined under section 168(c) or (g) of the internal revenue code, as amended; and (2) computer software as defined in section 197(e)(3)(B) of the internal revenue code, as amended, and as described in section 197(e)(3)(A)(i) of the internal revenue code, as amended, to which section 167 of the internal revenue code, as amended, applies. If such election is made, the amount of expense deduction for such cost shall equal the difference between the depreciable cost of such property for federal income tax purposes and the sum of the amount of bonus depreciation being claimed for such property pursuant to section 168(k) and the amount of expensing deduction being claimed for such property pursuant to section 179 of the internal revenue code, as amended, for federal income tax purposes in such tax year, ~~but without regard to any expense deduction being claimed for such property under section 179 of the internal revenue code, as amended,~~ multiplied by the applicable factor, determined by using, the table provided in subsection (f), based on the method of depreciation selected pursuant to section 168(b)(1), (2), or (3) or (g) of the internal revenue code, as amended, and the applicable recovery period for such property as defined under section 168(c) or (g) of the internal revenue code, as amended. This election shall be made by the due date of the original return, including any extensions, and may be made only for the taxable year in which the property is placed in service, and once made, shall be irrevocable. ~~If the section 179 expense deduction election has been made for federal income tax purposes for any asset, the applicable factor to be utilized is in the IRC § 168 (b)(1) column of the table provided in subsection (f) for the applicable recovery period of the respective assets.~~

(b) If the amount of expense deduction calculated pursuant to subsection (a) exceeds the taxpayer's Kansas net income before expensing or recapture allocated or apportioned to this state, such excess amount shall be treated as a Kansas net operating loss as provided in K.S.A. 79-32,143, and amendments thereto.

(c) If the property for which an expense deduction is taken pursuant to subsection (a) is subsequently sold during the applicable recovery period for such property as defined under section 168(c) of the internal revenue code, as amended, and in a manner

that would cause recapture of any previously taken expense or depreciation deductions for federal income tax purposes, or if the situs of such property is otherwise changed such that the property is relocated outside the state of Kansas during such applicable recovery period, then the expense deduction determined pursuant to subsection (a) shall be subject to recapture and treated as Kansas taxable income allocated to this state. The amount of recapture shall be the Kansas expense deduction determined pursuant to subsection (a) multiplied by a fraction, the numerator of which is the number of years remaining in the applicable recovery period for such property as defined under section 168(c) or (g) of the internal revenue code, as amended, after such property is sold or removed from the state including the year of such disposition, and the denominator of which is the total number of years in such applicable recovery period.

(d) The situs of tangible property for purposes of claiming and recapture of the expense deduction shall be the physical location of such property. If such property is mobile, the situs shall be the physical location of the business operations from where such property is used or based. The situs of computer software shall be apportioned to Kansas based on the fraction, the numerator of which is the number of the taxpayer's users located in Kansas of licenses for such computer software used in the active conduct of the taxpayer's business operations, and the denominator of which is the total number of the taxpayer's users of the licenses for such computer software used in the active conduct of the taxpayer's business operations everywhere.

(e) Any member of a unitary group filing a combined report may elect to take an expense deduction pursuant to subsection (a) for an investment in property made by any member of the combined group, provided that the amount calculated pursuant to subsection (a) may only be deducted from the Kansas net income before expensing or recapture allocated to or apportioned to this state by such member making the election.

(f) The following table shall be used in determining the expense deduction calculated pursuant to subsection (a):

<b>IRC§168 IRC§168(b)(3) or (g) Recover Period Depreciation (year) Method</b>	<b>Factors IRC§168(b)(1) Depreciation Method</b>	<b>IRC§168(b)(2) Depreciation Method</b>
2.5	*	.077 .092
3	.075	.091 .106
3.5	*	.102 .116
4	*	.114 .129
5	.116	.135 .150
6	*	.154 .170
6.5	*	.163 .179
7	.151	.173 .190
7.5	*	.181 .199
8	*	.191 .208
8.5	*	.199 .217
9	*	.208 .226
9.5	*	.216 .235

10	.198	.224	.244
10.5	*	.232	.252
11	*	.240	.261
11.5	*	.248	.269
12	*	.256	.277
12.5	*	.263	.285
13	*	.271	.293
13.5	*	.278	.300
14	*	.285	.308
15	*	.299	.323
16	*	.313	.337
16.5	*	.319	.344
17	*	.326	.351
18	*	.339	.365
19	*	.351	.378
20	*	.363	.391
22	*	.386	.415
24	*	.408	.438
25	*	.419	.449

\*Not Applicable

(g) If a taxpayer elects to expense any investment pursuant to subsection (a), such taxpayer shall not be eligible for any tax credit, accelerated depreciation, or deduction for such investment allowed pursuant to K.S.A. 79-32,160a(e), 79-32,182b, 79-32,201, 79-32,204, 79-32,211, 79-32,218, 79-32,221, 79-32,222, 79-32,224, 79-32,227, 79-32,229, 79-32,232, 79-32,234, 79-32,237, 79-32,239, 79-32,246, 79-32,249, 79-32,252, 79-32,255, 79-32,256 and 79-32,258, and amendments thereto.

(h) (1) For tax year 2013, the deduction allowed by this section shall only be available to taxpayers subject to the income tax on corporations imposed pursuant to ~~subsection (e) of~~ K.S.A. 79-32,110(c), and amendments thereto, and used only to determine such taxpayer's corporate income tax liability.

(2) For tax year years 2014, and all tax years thereafter ~~through 2020~~, the deduction allowed by this section shall only be available to taxpayers subject to the income tax on corporations imposed pursuant to ~~subsection (e) of~~ K.S.A. 79-32,110(c), and amendments thereto, or the privilege tax imposed upon any national banking association, state bank, savings bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and used only to determine such taxpayer's corporate income or privilege tax liability.

(i) For tax year 2021, and all tax years thereafter, the deduction allowed by this section shall be available to all taxpayers subject to the income tax imposed pursuant to K.S.A. 79-32,110, and amendments thereto, or the privilege tax imposed upon any national banking association, state bank, savings bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and used only to determine such taxpayer's income or privilege tax liability.";

On page 8, in line 32, after "K.S.A." by inserting "79-3221, 79-3221o, 79-32,117, 79-32,119, 79-32,120, 79-32,138, 79-32,143, 79-32,143a and"; also in line 32, by striking

"is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "marketplace facilitators" and inserting "sales and compensating use tax"; in line 3, after "on" by inserting "marketplace facilitator"; in line 4, after the semicolon by inserting "relating to income tax; providing for addition and subtraction modifications for the treatment of global intangible low-taxed income, business interest, capital contributions, FDIC premiums and business meals; expanding the expense deduction for income taxpayers and calculating the deduction amount; providing the ability to elect to itemize for individuals; exemption of unemployment compensation income attributable as a result of identity fraud; removing the line for reporting compensating use tax from individual tax returns; extending the dates when corporate tax returns are required to be filed; increasing the Kansas standard deduction; providing for an extension of the corporate net operating loss carryforward period;"; also in line 4, after "K.S.A." by inserting "79-3221, 79-3221o, 79-32,117, 79-32,119, 79-32,120, 79-32,138, 79-32,143, 79-32,143a and"; in line 5, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 167** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 167," as follows:  
"House Substitute for SENATE BILL NO. 167

By Committee on Transportation

"AN ACT concerning motor vehicles; relating to utility and telecommunications vehicles; definitions thereof; requiring drivers to yield the right-of-way and move over for authorized utility or telecommunications vehicles; creating a violation thereof; amending K.S.A. 2020 Supp. 8-2118 and repealing the existing section."; and the substitute bill be passed.

(**H Sub for SB 167** was thereupon introduced and read by title.)

## REPORT ON ENROLLED BILLS

**HB 2063**, **HB 2078**, **HB 2124** reported correctly enrolled, properly signed and presented to the Governor on March 26, 2021.

On motion of Rep. Hawkins, the House adjourned until 10:30 a.m., Monday, March 29, 2021.

# Journal of the House

FIFTY-THIRD DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, March 29, 2021, 10:30 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 123 members present.

Rep. Howard was excused on verified illness.

Rep. Victors was excused on excused absence by the Speaker.

Excused later: Reps. Poetter and Samsel.

Prayer by Chaplain Brubaker:

God in heaven,  
thank You for this day –  
the second day of Holy Week on the Christian calendar.  
It was on this day that Christ cursed the fig tree  
in order to teach His disciples  
about faith and trust in You.  
The disciples were taught that if they believed,  
they would receive whatever they asked for in prayer.  
So today, I ask that You give our leaders wisdom,  
and a spirit of unity.  
Give them a willingness to hear Your voice  
as you speak to them of truth, integrity,  
justice and fairness.  
This I pray in Christ's Name, Amen.

The Pledge of Allegiance was led by Rep. Minnix.

## PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Gartner are spread upon the Journal:

Today is Vietnam War Veterans Day!

It is a day that helps us remember and respect the nine million American men and women – more than six million of whom are living today who served on active duty in the U. S. armed forces during our involvement in Vietnam from November 1, 1955 to May 7, 1975.

Now a few statistics to share:

- 2,709,918 Americans served in Vietnam
- 1-1.6 million either fought in combat, provided close support or were at least regularly exposed to enemy attack.
- 7,484 women (6,250 or 83.5% were nurses) served in Vietnam. Total deaths were 58,202
- 8 nurses died
- 61% of men killed were 21 or younger
- 303,704 were wounded
- The state of Kansas lost 627 souls in the war

On May 7th, 1975, President Gerald Ford announced that the Vietnam era was over. Ours is the story of what happened next. There were no parades welcoming us home, many veterans were scorned and criticized for their role in the war and many became isolated. Today lets celebrate and honor our colleagues and spouses on the floor and all Kansans who served in the Vietnam war.

#### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bills were referred to committees as indicated:

Appropriations: **SB 145**.

Federal and State Affairs: **SB 158**.

#### **MESSAGES FROM THE GOVERNOR**

**HB 2227** approved on March 26, 2021.

#### **INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 58**.

Speaker Ryckman thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 103**.

Speaker Ryckman thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 107**.

Speaker Ryckman thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 175**.

Speaker Ryckman thereupon appointed Reps. Landwehr, Eplee and Parker as conferees on the part of the House.

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **Sub SB 238**.

Speaker Ryckman thereupon appointed Reps. Landwehr, Eplee and Parker as conferees on the part of the House.

### CONSENT CALENDAR

No objection was made to **SB 16** appearing on the Consent Calendar for the first day.

### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. A. Smith, the House nonconcurrred in Senate amendments to **S Sub HB 2104** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. A. Smith, Mason and Gartner as conferees on the part of the House.

On motion of Rep. Finch, the House concurred in Senate amendments to **S Sub HB 2072**, AN ACT concerning the state corporation commission; relating to certain public utilities; authorizing the securitization of certain generating facilities and qualified extraordinary costs; providing for the approval and issuance of securitized utility tariff bonds; enacting the utility financing and securitization act; amending K.S.A. 66-1239 and K.S.A. 2020 Supp. 84-9-109 and repealing the existing sections.

On roll call, the vote was: Yeas 113; Nays 9; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burriss, Fairchild, Garber, Jacobs, Lee-Hahn, Murphy, Poetter, Rhiley, Sutton.

Present but not voting: None.

Absent or not voting: Howard, Penn, Victors.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2022** submits the following report:

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

On page 13, in line 39, by striking "Kansas register" and inserting "statute book";

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

RICK BILLINGER

J.R. CLAEYS

TOM HAWK

*Conferees on part of Senate*

TROY WAYMASTER

KYLE HOFFMAN

KATHY WOLFE MOORE

*Conferees on part of House*

On motion of Rep. Waymaster, the conference committee report on **HB 2022** was adopted.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Victors.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Hoffman in the chair.

## COMMITTEE OF THE WHOLE

On motion of Rep. Hoffman, Committee of the Whole report, as follows, was adopted:

Recommended that committee report to **SB 106** be adopted; and the bill be passed as amended.

Committee report to **SB 50** be adopted.

Roll call was demanded on motion of Rep. Gartner to amend **SB 50**, as amended by House Committee, on page 13, following line 32, by inserting:

"(xxviii) For taxable years commencing after December 31, 2019, the amount of any expenses allowed for federal income tax purposes as provided under the paycheck protection program pursuant to sections 1102 and 1106 of public law 116-136 and

section 276 of public law 116-260.";

On page 1, in the title, in line 8, after "premiums" by inserting ", payment protection program expenses"

On roll call, the vote was: Yeas 41; Nays 81; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Newland, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Smith, C., Stogsdill, Toplikar, Vaughn, Waggoner, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helgerson, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, E., Sutton, Tarwater, Thomas, Thompson, Turner, Wasinger, Waymaster, Wheeler, K. Williams.

Present but not voting: None.

Absent or not voting: Howard, Lee-Hahn, Victors.

The motion of Rep. Gartner did not prevail.

Also, roll call was demanded on motion of Rep. Probst to amend **SB 50**, as amended by House Committee, on page 18, following line 16, by inserting:

"(xxviii) For all taxable years beginning after December 31, 2020, the amount received as unemployment compensation and included in the federal adjusted gross income of the taxpayer pursuant to section 85 of the federal internal revenue code.";

On page 1, in the title, in line 8, after "premiums" by inserting ", amounts received from unemployment compensation"

On roll call, the vote was: Yeas 48; Nays 74; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Baker, Ballard, Bishop, Blex, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Delperdang, Esau, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kessler, Kuether, Miller, Neighbor, Newland, Ohaebosim, Ousley, Parker, Poskin, Probst, Rhiley, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Thomas, Toplikar, Vaughn, Waggoner, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Awerkamp, Barker, Bergkamp, Bergquist, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Dodson, M., Donohoe, Ellis, Eplee, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thompson, Turner, Wasinger, Waymaster, Wheeler, K. Williams.

Present but not voting: None.

Absent or not voting: Howard, Huebert, Victors.

The motion of Rep. Probst did not prevail.

Also, on motion of Rep. Coleman to amend **SB 50**, Rep. B. Carpenter requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment not germane.

Also, roll call was demanded on motion of Rep. Stogsdill to amend **SB 50**, as amended by House Committee, on page 18, in line 5, by striking all after "(xxv)"; by striking all in lines 6 through 8; in line 9, by striking "(xxvi)";

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

On page 19, in line 10, by striking "\$3,500" and inserting "\$4,250"; in line 11, by striking "\$8,000" and inserting "\$8,500"; also in line 11, by striking "\$6,000" and inserting "\$6,500";

On page 22, in line 5, after the stricken material by inserting "and"; in line 6, by striking all after "deduction"; by striking all in lines 7 and 8; in line 9, by striking all before the period; in line 38, by striking all after "income"; by striking all in lines 39 through 43;

On page 23, by striking all in line 1; and in line 2, by striking all before the semicolon;

On page 1, in the title, in line 6, by striking "global"; in line 7, by striking all before "business"

On roll call, the vote was: Yeas 40; Nays 80; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcalá, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Toplikar, Vaughn, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Averkamp, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Collins, Concannon, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Present but not voting: None.

Absent or not voting: Clark, Corbet, Howard, Jennings, Victors.

The motion of Rep. Stogsdill did not prevail.

Also, roll call was demanded on motion of Rep. Clayton to amend **SB 50**, as amended by House Committee, on page 5, following line 28, by inserting:

"New Sec. 6. (a) For any taxable year commencing after December 31, 2020, a credit shall be allowed against the tax imposed by the Kansas income tax act on the Kansas taxable income of an individual taxpayer who: (1) Purchased food in this state; (2) had federal adjusted gross income for the tax year that did not exceed \$30,000 if single filing status or married filing separate filing status or \$40,000 if head of

household filing status or married filing jointly filing status; and (3) meets the qualifications in subsection (b).

(b) The taxpayer filing single, head of household or married filing separate or the taxpayer and taxpayer's spouse if married filing jointly must be domiciled in this state during the entire tax year. For purposes of this credit, "domicile" shall not include any correctional institution, or portion thereof, as defined in K.S.A. 75-5202, and amendments thereto, any juvenile correctional facility, or portion thereof, as defined in K.S.A. 38-2302, and amendments thereto, any correctional facility of the federal bureau of prisons located in the state of Kansas or any city or county jail facility in the state of Kansas.

(c) The amount of the credit shall be \$60 for single filing status and married filing separate filing status, \$180 for head of household filing status and \$240 for married filing jointly filing status.

(d) If the amount of the credit allowed exceeds the taxpayer's income tax liability under the Kansas income tax act, such excess amount shall be refunded to the taxpayer.

(e) In the case of all tax years commencing after December 31, 2021, the threshold income amounts and the amounts of the tax credit, as prescribed in this section, shall be increased by an amount equal to such threshold amount and tax credit amount multiplied by the cost-of-living adjustment determined under section 1(f)(3) of the federal internal revenue code for the calendar year in which the taxable year commences.

(f) The county treasurer of each county shall mail to each taxpayer with the property tax statement of such taxpayer information provided by the secretary of revenue with respect to claiming of a refund of retailers' sales taxes paid upon food pursuant to this section.

(g) The secretary of revenue is hereby authorized to adopt such rules and regulations as may be necessary for the administration of the provisions of this section.";

On page 18, in line 5, by striking all after "(xxv)"; by striking all in lines 6 through 8; in line 9, by striking "(xxvi)";

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

On page 22, in line 5, after the stricken material by inserting "and"; in line 6, by striking all after "deduction"; by striking all in lines 7 and 8; in line 9, by striking all before the period; in line 38, by striking all after "income"; by striking all in lines 39 through 43;

On page 23, by striking all in line 1; in line 2, by striking all before the semicolon;

On page 28, following line 22, by inserting:

"Sec. 15. K.S.A. 79-32,271 is hereby amended to read as follows: 79-32,271. (a) For any taxable year commencing after December 31, 2014, and ending prior to January 1, 2021, a credit shall be allowed against the tax imposed by the Kansas income tax act on the Kansas taxable income of an individual income taxpayer who purchased food in this state, had federal adjusted gross income for the tax year that did not exceed \$30,615, and meets the qualifications in subsections (b) and (c).

(b) During the entire tax year a taxpayer filing single, head of household, or married filing separate, or the taxpayer and the taxpayer's spouse if married filing jointly, must be domiciled in this state. For purposes of this credit, "domicile" shall not include any correctional facility, or portion thereof, as defined in K.S.A. 75-5202, and amendments thereto, any juvenile correctional facility, or portion thereof, as defined in K.S.A. 38-2302, and amendments thereto, any correctional facility of the federal bureau of prisons located in the state of Kansas, or any city or county jail facility in the state of Kansas.

(c) During the entire tax year a taxpayer filing single, head of household, or married filing separate, or the taxpayer or the taxpayer's spouse if married filing jointly, must be either: (1) A person having a disability, regardless of age; (2) a person without a disability who is 55 years of age or older; or (3) a person without a disability who is younger than 55 years of age who claims an exemption for one or more dependent children under 18 years of age.

(d) The amount of the credit shall be \$125 for every exemption claimed on the taxpayer's federal income tax return, except that no exemption shall be counted for a dependent unless the dependent is a child under 18 years of age.

(e) The credit allowed under this provision shall be applied against the taxpayer's income tax liability after all other credits allowed under the income tax act. It shall not be refundable and may not be carried forward.

(f) (1) Every taxpayer claiming the credit shall supply the division in support of a claim, reasonable proof of domicile, age and disability.

(2) A claim alleging disability shall be supported by a report of the examining physician of the claimant with a statement or certificate that the applicant has a disability as defined in subsection (g).

(g) "Disability" means: (1) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months, and an individual shall be determined to be under a disability only if the physical or mental impairment or impairments are of such severity that the individual is not only unable to do the individual's previous work but cannot, considering age, education and work experience, engage in any other kind of substantial gainful work which exists in the national economy, regardless of whether such work exists in the immediate area in which the individual lives or whether a specific job vacancy exists for the individual, or whether the individual would be hired if application was made for work. For purposes of this paragraph, with respect to any individual, "work which exists in the national economy" means work which exists in significant numbers either in the region where the individual lives or in several regions of the country; and "physical or mental impairment" means an impairment that results from anatomical, physiological or psychological abnormalities which are demonstrable by medically acceptable clinical and laboratory diagnostic techniques; or

(2) blindness and inability by reason of blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which the individual has previously engaged with some regularity and over a substantial period of time. For purposes of this paragraph, "blindness" means central visual acuity of  $\frac{20}{200}$  or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the

visual field subtends an angle no greater than 20 degrees shall be considered for the purpose of this paragraph as having a central visual acuity of  $20/200$  or less.

(h) The secretary of revenue is hereby authorized to adopt such rules and regulations as may be necessary for the administration of the provisions of this section.";

On page 32, in line 12, after "79-32,143a" by inserting ", 79-32,271";

And by renumbering sections accordingly;

On page 1, in the title, in line 6, by striking "global"; in line 7, by striking all before "business"; in line 16, after the semicolon by inserting "providing a refundable food sales tax credit; discontinuing the nonrefundable food sales tax credit;"; in line 18, after "79-32,143a" by inserting ", 79-32,271"

On roll call, the vote was: Yeas 44; Nays 78; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Estes, Featherston, Finney, Garber, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Jacobs, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Rhiley, Ruiz, L., Ruiz, S., Samsel, Sawyer, Stogsdill, Toplikar, Vaughn, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Fairchild, Finch, Francis, French, Hawkins, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Ryckman, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Present but not voting: None.

Absent or not voting: Helmer, Howard, Victors.

The motion of Rep. Clayton did not prevail; and the bill be passed as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Children and Seniors** recommends **HB 2448** be passed.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2328** be amended on page 2, in line 5, after "who" by inserting "is a Kansas resident and"; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **HB 2443** be amended on page 1, following line 4, by inserting:

"New Section 1. Sections 1 through 3, and amendments thereto, shall be known and may be cited as Kathy's bill.";

Also on page 1, in line 5, by striking "and 2" and inserting "through 3";

On page 2, in line 37, by striking "and 2" and inserting "through 3";

And by renumbering sections accordingly; and the bill be passed as amended.

Committee on **Commerce, Labor and Economic Development** recommends **SB 91** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 91," as follows:

"House Substitute for SENATE BILL NO. 91

By Committee on Commerce, Labor and Economic Development

"AN ACT concerning high school work-based learning programs; relating to liability for students and business, municipal and postsecondary educational institution program providers; providing liability protection for businesses that participate in work-based learning programs; amending K.S.A. 72-18,101 and 72-18,102 and repealing the existing sections."; and the substitute bill be passed.

(H Sub for SB 91 was thereupon introduced and read by title.)

Committee on **Education** recommends **SB 32**, as amended by Senate Committee, be amended on page 3, in line 22, by striking all after "that"; by striking all in lines 23 through 27; in line 28, by striking all before the period and inserting "students shall be notified upon acceptance for dual or concurrent enrollment that dual or concurrent enrollment courses may or may not be systemwide transfer courses approved by the state board of regents for transfer of credit to other in-state public postsecondary educational institutions, and such notification shall:

(A) Refer students to the state board of regents' website that provides information on systemwide transfer courses;

(B) encourage students to consult with their high school counselor or postsecondary academic advisor regarding course planning and future plans before enrollment in dual or concurrent enrollment courses; and

(C) encourage students who are considering postsecondary enrollment at an institution that is not included on the state board of regents' systemwide transfer website to refer to such institution's website for transfer of credit information"; and the bill be passed as amended.

Committee on **Education** recommends **SB 62** be amended on page 1, following line 6, by inserting:

"Section 1. K.S.A. 65-1680 is hereby amended to read as follows: 65-1680. The state board of pharmacy may adopt any rules and regulations ~~which that~~ the board deems necessary in relation to the maintenance of epinephrine kits and albuterol kits under K.S.A. 72-6483, and amendments thereto.

Sec. 2. K.S.A. 65-2872b is hereby amended to read as follows: 65-2872b. (a) The practice of the healing arts shall not be construed to include any person administering epinephrine, or any school nurse or nurse's designee administering albuterol, in emergency situations to a student or a member of a school staff if:

(1) (A) The person administering the epinephrine reasonably believes that the student or staff member is exhibiting the signs and symptoms of an anaphylactic reaction; or

(B) the school nurse or nurse's designee administering the albuterol reasonably believes that the individual is exhibiting the signs and symptoms of respiratory distress;

(2) a physician has authorized, in writing, the school to maintain a stock supply of epinephrine or albuterol; and

(3) the epinephrine or albuterol is administered at school, on school property or at a school-sponsored event.

(b) Any person who gratuitously and in good faith renders emergency care or treatment through the administration of epinephrine, or any school nurse or nurse's designee who gratuitously and in good faith renders emergency care or treatment through the administration of albuterol, to a student or a member of a school staff at school, on school property or at a school-sponsored event shall not be held liable for any civil damages as a result of such care or administration or as a result of any act or failure to act in providing or arranging further medical treatment where the person acts as an ordinary reasonably prudent person would have acted under the same or similar circumstances.";

On page 3, following line 23, by inserting:

"Sec. 5. K.S.A. 72-6283 is hereby amended to read as follows: 72-6283. (a) Any accredited school may maintain an epinephrine kit. An epinephrine kit may consist of one or more doses of epinephrine. Epinephrine from an epinephrine kit shall be used only in emergency situations when the person administering the epinephrine reasonably believes that the signs and symptoms of an anaphylactic reaction are occurring and if administered at school, on school property or at a school-sponsored event. A school may not maintain an epinephrine kit unless the school has consulted with a pharmacist licensed by the state board of pharmacy. The consultant pharmacist shall have supervisory responsibility for maintaining the epinephrine kit. The consultant pharmacist shall be responsible for developing procedures, proper control and accountability for the epinephrine kit. Periodic physical inventory of the epinephrine kit shall be required. An epinephrine kit shall be maintained under the control of the consultant pharmacist.

(b) Any accredited school may maintain an albuterol kit. An albuterol kit may consist of one or more albuterol metered-dose inhalers, one or more doses of albuterol solution and one or more spacers or nebulizers for the administration of albuterol. Albuterol from an albuterol kit shall be used only in emergency situations when a school nurse or nurse's designee administering the albuterol reasonably believes that the signs and symptoms of respiratory distress are occurring at school, on school property or at a school-sponsored event. A school may not maintain an albuterol kit unless the school has consulted with a pharmacist licensed by the state board of pharmacy. The consultant pharmacist shall have supervisory responsibility for maintaining the albuterol kit. The consultant pharmacist shall be responsible for developing procedures, proper control and accountability for the albuterol kit. Periodic physical inventory of the albuterol kit shall be required. An albuterol kit shall be maintained under the control of the consultant pharmacist.";

Also on page 3, in line 24, after "K.S.A." by inserting "65-1680, 65-2872b,"; also in line 24, by striking "and" and inserting a comma; also in line 24, after "72-6242" by inserting "and 72-6283";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "authorizing schools to maintain albuterol kits for emergency use,"; also in line 3, after "K.S.A." by inserting "65-1680, 65-2872b,"; also in line 3, by striking "and" and inserting a comma; also in line 3, after "72-6242" by inserting "and 72-6283"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 126** be amended on page 4, following line 36, by inserting:

"Sec. 3. K.S.A. 2020 Supp. 41-2640 is hereby amended to read as follows: 41-2640. (a) No club, drinking establishment, caterer or holder of a temporary permit, nor any person acting as an employee or agent thereof, shall:

(1) Offer or serve any free cereal malt beverage or alcoholic liquor in any form to any person;

(2) offer or serve to any person an individual drink at a price that is less than the acquisition cost of the individual drink to the licensee or permit holder;

(3) sell, offer to sell or serve to any person an unlimited number of individual drinks during any set period of time for a fixed price, except at private functions not open to the general public or to the general membership of a club;

(4) encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or cereal malt beverage or the awarding of individual drinks as prizes;

(5) sell, offer to sell or serve free of charge any form of powdered alcohol, as defined in K.S.A. 41-102, and amendments thereto; or

(6) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (a)(1) through (5).

(b) No public venue, nor any person acting as an employee or agent thereof, shall:

(1) Offer or serve any free cereal malt beverage or alcoholic liquor in any form to any person;

(2) offer or serve to any person a drink or original container of alcoholic liquor or cereal malt beverage at a price that is less than the acquisition cost of the drink or original container of alcoholic liquor or cereal malt beverage to the licensee;

(3) sell or serve alcoholic liquor in glass containers to customers in the general admission area;

(4) sell or serve more than two drinks per customer at any one time in the general admission area;

(5) encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or cereal malt beverage or the awarding of drinks as prizes;

(6) sell, offer to sell or serve free of charge any form of powdered alcohol, as defined in K.S.A. 41-102, and amendments thereto; or

(7) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (b)(1) through (6).

(c) A public venue, club, drinking establishment, caterer or holder of a temporary permit may:

(1) Offer free food or entertainment at any time;

(2) sell or deliver wine by the bottle or carafe;

(3) sell, offer to sell and serve individual drinks at different prices throughout any day;

(4) sell or serve beer ~~or~~ cereal malt beverage ~~or mixed alcoholic beverage~~ in a pitcher ~~capable of containing not more than 64 fluid ounces; or~~

(5) offer samples of alcohol liquor free of charge as authorized by this act; ~~or~~

~~(6) sell or serve margarita, sangria, daiquiri, mojito or other mixed alcoholic beverages as approved by the director in a pitcher containing not more than 64 fluid ounces.~~

(d) A hotel of which the entire premises is licensed as a drinking establishment

may, in accordance with rules and regulations adopted by the secretary, distribute to its guests coupons redeemable on the hotel premises for drinks containing alcoholic liquor. The hotel shall remit liquor drink tax in accordance with the provisions of the liquor drink tax act, K.S.A. 79-41a01 et seq., and amendments thereto, on each drink served based on a price which is not less than the acquisition cost of the drink.

(e) (1) A public venue, club or drinking establishment may offer customer self-service of beer or wine, or both, from automated devices on licensed premises so long as the licensee monitors and has the ability to control the dispensing of such beer or wine, or both, from the automated devices.

(2) (A) For purposes of this subsection, "automated device" ~~shall mean~~ means any mechanized device capable of dispensing wine or beer, or both, directly to a customer in exchange for compensation that a licensee has received directly from the customer.

(B) No licensee shall allow an automated device to be used on its licensed premises without first providing written or electronic notification to the director of the licensee's intent to use the automated device. The licensee shall provide this notification at least 48 hours before any automated device is used on the licensed premises.

(C) Each licensee offering customer self-service of wine or beer, or both, from any automated device shall provide constant video monitoring of the automated device at all times during which the licensee is open to the public. The licensee shall keep recorded footage from the video monitoring for at least 60 days and shall provide the footage, upon request, to any agent of the director or other authorized law enforcement agent.

(D) The compensation required by subsection (a) shall be in the form of a programmable, prepaid access card containing a fixed amount of monetary credit that may be directly exchanged for beer or wine dispensed from the automated device. Access cards may be sold, used or reactivated only during a business day. Each access card shall be purchased from the licensee by a customer. A licensee shall not issue more than one active access card to a customer. For purposes of this subsection, an access card shall be deemed active if the access card contains monetary credit or has not yet been used to dispense 15 ounces of wine or 32 ounces of beer. Each purchase of an access card under this subparagraph shall be subject to the liquor drink tax imposed by K.S.A. 79-41a02, and amendments thereto.

(E) In order to obtain a prepaid access card from a licensee, each customer shall produce a valid driver's license, identification card or other government-issued document that contains a photograph of the individual and demonstrates that the individual is at least 21 years of age. Each access card shall be programmed to require the production of the customer's valid identification before the access card can be used for the first time during any business day or for any subsequent reactivation as provided in subparagraph (D).

(F) Each access card shall become inactive at the end of each business day.

(G) Each access card shall be programmed to allow the dispensing of no more than 15 ounces of wine or 32 ounces of beer to a customer. Once an access card has been used to dispense 15 ounces of wine or 32 ounces of beer to a customer, the access card shall become inactive. Any customer in possession of an inactive access card may, upon production of the customer's valid identification to the licensee or licensee's employee, have the access card reactivated to allow the dispensing of an additional 15 ounces of wine or 32 ounces of beer from an automated device.

Subparagraph (D), (E), (F) or (G) shall not apply to wine or beer that is dispensed

directly to the licensee or the licensee's agent or employee.

(3) The secretary shall adopt rules and regulations prior to January 1, 2019, as necessary to implement the provisions of this subsection.

(4) Notwithstanding any other provision of law, all laws and rules and regulations applicable to the sale of alcoholic liquor to persons under the legal age of consumption shall be applicable to the sales transaction of the prepaid access card.

(f) A hotel of which the entire premises is not licensed as a drinking establishment may, in accordance with rules and regulations adopted by the secretary, through an agreement with one or more clubs or drinking establishments, distribute to its guests coupons redeemable at such clubs or drinking establishments for drinks containing alcoholic liquor. Each club or drinking establishment redeeming coupons issued by a hotel shall collect from the hotel the agreed price, which shall be not less than the acquisition cost of the drink plus the liquor drink tax for each drink served. The club or drinking establishment shall collect and remit the liquor drink tax in accordance with the provisions of the liquor drink tax act, K.S.A. 79-41a01 et seq., and amendments thereto.

(g) Violation of any provision of this section is a misdemeanor punishable as provided by K.S.A. 41-2633, and amendments thereto.

(h) Violation of any provision of this section shall be grounds for suspension or revocation of the licensee's license as provided by K.S.A. 41-2609, and amendments thereto, and for imposition of a civil fine on the licensee or temporary permit holder as provided by K.S.A. 41-2633a, and amendments thereto.

(i) For the purposes of this section, the term:

(1) "Day" means from 6:00 a.m. until 2:00 a.m. the following calendar day;

(2) "mixed alcoholic beverage" means a beverage that is made by combining alcoholic liquor with a non-alcoholic liquid or other edible substance and that is comprised of at least 25% of non-alcoholic liquid or other edible substance, including, but not limited to, margarita, sangria, daiquiri or mojito; and

(3) "pitcher" means any container that is capable of containing more than 32 fluid ounces but not more than 64 fluid ounces that is used to serve alcoholic liquor or cereal malt beverage to one or more individuals.";

Also on page 4, in line 37, by striking "and" and inserting a comma; also in line 37, after "41-2637" by inserting "and 41-2640";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "specifying requirements for the serving of alcoholic beverages by licensees;"; also in line 3, by striking "and" and inserting a comma; in line 4, before "and" by inserting "and 41-2640"; and the bill be passed as amended.

On motion of Rep. Hawkins, the House recessed until 2:30 p.m.

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#### AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

**INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was introduced and read by title:

**HB 2453**, AN ACT concerning alcoholic beverages; relating to the cereal malt beverage act; authorizing the sale and delivery by the licensee or a third-party of cereal malt beverage and beer containing not more than 6% alcohol by volume for consumption off the licensed premises; amending K.S.A. 2020 Supp. 41-2728 and repealing the existing section, by Committee on Federal and State Affairs.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6015**—

By Representatives Ryckman, Finch and Hawkins

A RESOLUTION urging the legislative coordinating council to revoke any executive order issued by the governor mandating face coverings if such an executive order is issued while the legislature is adjourned.

WHEREAS, 2021 Senate Bill No. 40 was signed into law on March 24, 2021, and became effective on March 31, 2021. This legislation revokes all executive orders currently in effect issued by the governor pursuant to K.S.A. 48-925, and amendments thereto, in response to the current state of disaster emergency declared pursuant to K.S.A. 48-924, and amendments thereto, related to the COVID-19 public health emergency; and

WHEREAS, Governor Kelly issued a statement on March 24, 2021, indicating that she intends to issue an executive order similar to Executive Order 20-68, establishing a face coverings protocol on April 1, 2021; and

WHEREAS, 2021 Senate Bill No. 40 authorizes the legislature to revoke an executive order issued pursuant to K.S.A. 48-925, and amendments thereto, by concurrent resolution of the legislature, and, if the legislature is not in session or is adjourned for three or more days during the legislative session, the legislative coordinating council is authorized to revoke an executive order issued pursuant to K.S.A. 48-925, and amendments thereto; and

WHEREAS, Pursuant to the 2021 session planner, the legislature is scheduled to adjourn on March 31, 2021, for a period of time that is longer than three days; and

WHEREAS, Local units of government, including counties and cities, maintain the legal authority to take any action related to face coverings that such local unit of government determines is necessary for the safety of the people in their community; Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That the Kansas House of Representatives urges the legislative coordinating council to revoke any executive order issued by the governor pursuant to K.S.A. 48-925, and amendments thereto, establishing a face coverings protocol if such an executive order is issued by the governor during a time when the legislature is not in session or is adjourned for three or more days during the legislative session; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the chairperson of the legislative coordinating council.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Sutton in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Sutton, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2316**, **HB 2417** be passed.

**HB 2272** be passed over and retain a place on the calendar.

Committee report to **SB 60** be adopted.

Also, on motion of Rep. Miller, **SB 60** be amended as amended by House Committee, on page 2, following line 1, by inserting:

"Sec. 2. K.S.A. 2020 Supp. 21-5504 is hereby amended to read as follows: 21-5504. (a) Criminal sodomy is:

(1) Sodomy between persons who are 16 or more years of age and members of the same sex;

(2) Sodomy between a person and an animal;

(3) sodomy with a child who is 14 or more years of age but less than 16 years of age; or

(4) causing a child 14 or more years of age but less than 16 years of age to engage in sodomy with any person or animal.

(b) Aggravated criminal sodomy is:

(1) Sodomy with a child who is under 14 years of age;

(2) causing a child under 14 years of age to engage in sodomy with any person or an animal; ~~or~~

(3) sodomy with a victim who does not consent to the sodomy or causing a victim, without the victim's consent, to engage in sodomy with any person or an animal under any of the following circumstances:

(A) When the victim is overcome by force or fear;

(B) when the victim is unconscious or physically powerless; or

(C) when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by, or was reasonably apparent to, the offender; or

(4) sodomy with a victim when the victim's consent was obtained through a knowing misrepresentation made by the offender that the sodomy was a:

(A) Medically or therapeutically necessary procedure; or

(B) legally required procedure within the scope of the offender's authority.

(c) (1) Criminal sodomy as defined in:

(A) Subsection (a)(1) or (a)(2) is a class B nonperson misdemeanor; and

(B) subsection (a)(3) or (a)(4) is a severity level 3, person felony.

(2) Aggravated criminal sodomy as defined in:

(A) Subsection (b)(3) or (b)(4) is a severity level 1, person felony; and

(B) subsection (b)(1) or (b)(2) is a severity level 1, person felony, except as provided in subsection (c)(3).

(3) Aggravated criminal sodomy as defined in subsection (b)(1) or (b)(2) or

attempt, conspiracy or criminal solicitation to commit aggravated criminal sodomy as defined in subsection (b)(1) or (b)(2) is an off-grid person felony, when the offender is 18 years of age or older.

(d) If the offender is 18 years of age or older, the provisions of:

(1) ~~Subsection (e)~~ of K.S.A. 2020 Supp. 21-5301(c), and amendments thereto, shall not apply to a violation of attempting to commit the crime of aggravated criminal sodomy as defined in subsection (b)(1) or (b)(2);

(2) ~~subsection (e)~~ of K.S.A. 2020 Supp. 21-5302(c), and amendments thereto, shall not apply to a violation of conspiracy to commit the crime of aggravated criminal sodomy as defined in subsection (b)(1) or (b)(2); and

(3) ~~subsection (d)~~ of K.S.A. 2020 Supp. 21-5303(d), and amendments thereto, shall not apply to a violation of criminal solicitation to commit the crime of aggravated criminal sodomy as defined in subsection (b)(1) or (b)(2).

(e) It shall be a defense to a prosecution of criminal sodomy, as defined in subsection (a)(3), and aggravated criminal sodomy, as defined in subsection (b)(1), that the child was married to the accused at the time of the offense.

(f) Except as provided in subsection (b)(3)(C), it shall not be a defense that the offender did not know or have reason to know that the victim did not consent to the sodomy, that the victim was overcome by force or fear; or that the victim was unconscious or physically powerless.

Sec. 3. K.S.A. 2020 Supp. 21-5505 is hereby amended to read as follows: 21-5505. (a) Sexual battery is the touching of a victim who is not the spouse of the offender, who is 16 or more years of age and who does not consent thereto, with the intent to arouse or satisfy the sexual desires of the offender or another.

(b) Aggravated sexual battery is:

(1) The touching of a victim who is 16 or more years of age and who does not consent thereto with the intent to arouse or satisfy the sexual desires of the offender or another and under any of the following circumstances:

~~(A)~~ When the victim is overcome by force or fear;

~~(B)~~ when the victim is unconscious or physically powerless; or

~~(C)~~ when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by, or was reasonably apparent to, the offender; or

(2) the touching of a victim who is 16 or more years of age with the intent to arouse or satisfy the sexual desires of the offender when the victim's consent was obtained through a knowing misrepresentation made by the offender that the touching was a:

(A) Medically or therapeutically necessary procedure; or

(B) legally required procedure within the scope of the offender's authority.

(c) (1) Sexual battery is a class A person misdemeanor.

(2) Aggravated sexual battery is a severity level 5, person felony.

(d) Except as provided in subsection ~~(b)(3)~~ (b)(1)(C), it shall not be a defense that the offender did not know or have reason to know that the victim did not consent to the battery, that the victim was overcome by force or fear, or that the victim was unconscious or physically powerless.";

Also on page 2, in line 2, by striking "is" and inserting ", 21-5504 and 21-5505 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "to" by inserting "criminal sodomy, aggravated criminal sodomy and aggravated sexual battery; creating criminal liability for such offenses when consent was obtained through a knowing misrepresentation;"; in line 4, after "21-5106" by inserting ", 21-5504 and 21-5505"; in line 5, by striking "section" and inserting "sections" and the bill be passed as amended.

Committee report recommending a substitute bill to **SB 124** be adopted.

Also, on motion of Rep. Tarwater, **House Substitute for SB 124**, be amended on page 5, in line 26, by striking "city" and inserting "metropolitan area"; in line 42, by striking "statistical"; also in line 42, by striking all after "areas"; In line 43, by striking all before the comma and inserting "with a population of more than 50,000";

On page 6, in line 28, by striking "statistical"; also in line 28, by striking all after "area"; in line 29, by striking all before the comma and inserting "with a population of more than 50,000" and **H Sub for SB 124** be passed as amended.

Committee report to **SB 283** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **Sub SB 273** be adopted; and **H Sub for Sub SB 273** be passed.

Committee report to **HB 2412** be adopted; and the bill be passed as amended.

Committee report recommending a substitute bill to **SB 78** be adopted; and **H Sub for SB 78** be passed.

Committee report to **HB 2025** be adopted, and the motion to recommend bill favorably for passage did not prevail.

Committee report to **SB 172** be adopted.

Also, on motion of Rep. Schreiber, **SB 172** be amended as amended by House Committee, on page 1, following line 6 by inserting: "WHEREAS, The provisions of this act protect the right to peacefully protest for all Kansans and citizens of the four sovereign nations within the state's borders while also protecting the critical infrastructure located within the state.

Now, therefore:" and the bill be passed as amended.

Committee report to **SB 127** be adopted; and the bill be passed as amended.

Committee report to **HB 2363** be adopted; and the bill be passed as amended.

Committee report to **HB 2408** be adopted; and the bill be passed as amended.

Committee report to **HB 2380** be adopted; and the bill be passed as amended.

Committee report to **SB 122** be adopted; and the bill be passed as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Taxation** recommends **SB 49** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 49," as follows:

"House Substitute for SENATE BILL NO. 49

By Committee on Taxation

"AN ACT concerning property taxation; authorizing continuation of the statewide levy for schools and the exemption of a portion of residential property from such levy; amending K.S.A. 79-201x and K.S.A. 2020 Supp. 72-5142 and repealing the existing sections."; and the substitute bill be passed.

(H Sub for SB 49 was thereupon introduced and read by title.)

Committee on **Taxation** recommends **SB 71** be amended on page 1, in line 5, before "Section" by inserting "New"; following line 30, by inserting:

"New Sec. 2. (a) For taxable years commencing after December 31, 2020, and before January 1, 2026, there shall be allowed a credit against the tax imposed by the Kansas income tax act and the privilege tax pursuant to K.S.A. 79-1106 et seq., and amendments thereto, in an amount equal to 50% of the total amount contributed during the taxable year by a taxpayer subject to income tax pursuant to K.S.A. 79-32,110(a) or (c), and amendments thereto, or subject to the privilege tax pursuant to K.S.A. 79-1107 and 79-1108, and amendments thereto, to the friends of cedar crest association.

(b) The amount of such credit awarded to a taxpayer in a taxable year pursuant to this section shall not exceed:

(1) \$25,000 for any taxpayer subject to the income tax on resident individuals imposed pursuant to K.S.A. 79-32,110(a), and amendments thereto; or

(2) \$50,000 for any taxpayer subject to the income tax on corporations imposed pursuant to K.S.A. 79-32,110(c), and amendments thereto, or the privilege tax on financial institutions pursuant to K.S.A. 79-1107 and 79-1108, and amendments thereto.

(c) The aggregate amount of credits claimed pursuant to this section shall not exceed \$350,000 for any fiscal year.

(d) The credit allowed by this section shall not exceed the amount of tax imposed under the Kansas income tax act or the privilege tax reduced by the sum of any other credits allowable pursuant to law. Such credit shall be deducted from the taxpayer's income or privilege tax liability for the taxable year in which the contributions are made by the taxpayer. The taxpayer shall not be allowed to carry forward any amount of such credit exceeding the taxpayer's income or privilege tax liability.

Sec. 3. K.S.A. 79-32,212 is hereby amended to read as follows: 79-32,212. (a) For taxable years 2002 through ~~2021~~ 2024, there shall be allowed as a credit against the tax liability of a taxpayer imposed under the Kansas income tax act, an amount equal to 100% of the amount attributable to the retirement of indebtedness authorized by a single city port authority established before January 1, 2002. In no event shall the total amount of the credits allowed under this section exceed \$500,000 for any one fiscal year.

(b) Upon certification by the secretary of revenue of the amount of any such credit, the director of accounts and reports shall issue to such taxpayer a warrant for such amount which shall be deemed to be a capital contribution.

(c) For tax ~~year years~~ years 2013 ~~and all tax years thereafter through 2021~~, the income tax credit provided by this section shall only be available to taxpayers subject to the income tax on corporations imposed pursuant to ~~subsection (c)~~ of K.S.A. 79-32,110(c), and amendments thereto, and shall be applied only against such taxpayer's corporate income tax liability.

(d) For tax years 2022 through 2024, the income tax credit provided by this section

shall be available to all taxpayers subject to the income tax imposed pursuant to K.S.A. 79-32,110, and amendments thereto, and shall be applied only against such taxpayer's income tax liability.

Sec. 4. K.S.A. 79-32,212 is hereby repealed.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 2, after "credit" by inserting "and the friends of cedar crest association contribution credit; extending the time period and expanding eligibility for the single city port authority credit; amending K.S.A. 79-32,212 and repealing the existing section"; and the bill be passed as amended.

Committee on **Taxation** recommends **SB 119** be amended on page 3, in line 36, after the period by inserting "With regard to any matter properly submitted to the district court relating to the determination of valuation of residential property or real property used for commercial and industrial purposes for taxation purposes or the determination of classification of property for assessment purposes, the county appraiser shall have the duty to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity and correctness of such determination.";

On page 4, following line 18, by inserting:

"Sec. 3. K.S.A. 74-2433 is hereby amended to read as follows: 74-2433. (a) There is hereby created a state board of tax appeals, referred to in this act as the board. The board shall be composed of three members who shall be appointed by the governor, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto. For members appointed after June 30, 2014, one of such members shall have been regularly admitted to practice law in the state of Kansas and for a period of at least five years, have engaged in the active practice of law as a lawyer, judge of a court of record or any other court in this state; one of such members shall have engaged in active practice as a certified public accountant for a period of at least five years and one such member shall be a licensed certified general real property appraiser. In addition, the governor shall also appoint a chief hearing officer, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto, who, in addition to other duties prescribed by this act, shall serve as a member pro tempore of the board. No successor shall be appointed for any judge of the court of tax appeals appointed before July 1, 2014. Such persons shall continue to serve as members on the board of tax appeals until their terms expire. Except as provided by K.S.A. 46-2601, and amendments thereto, no person appointed to the board, including the chief hearing officer, shall exercise any power, duty or function as a member of the board until confirmed by the senate. Not more than two members of the board shall be of the same political party. Members of the board, including the chief hearing officer, shall be residents of the state. Subject to the provisions of K.S.A. 75-4315c, and amendments thereto, no more than one member shall be appointed from any one of the congressional districts of Kansas unless, after having exercised due diligence, the governor is unable to find a qualified replacement within 90 days after any vacancy on the board occurs. The members of the board, including the chief hearing officer, shall be selected with special reference to training and experience for duties imposed by this act and shall be individuals with legal, tax, accounting or appraisal training and experience. State board of tax appeals members shall be subject to the supreme court rules of judicial conduct applicable to all judges of the district court. The board shall be bound by the doctrine of

stare decisis limited to published decisions of an appellate court. Members of the board, including the chief hearing officer, shall hold office for terms of four years. A member may continue to serve for a period of ~~90~~ 180 days after the expiration of the member's term, or until a successor has been appointed and confirmed, whichever is shorter. Except as otherwise provided, such terms of office shall expire on January 15 of the last year of such term. If a vacancy occurs on the board, or in the position for chief hearing officer, the governor shall appoint a successor to fill the vacancy for the unexpired term. Nothing in this section shall be construed to prohibit the governor from reappointing any member of the board, including the chief hearing officer, for additional four-year terms. The governor shall select one of its members to serve as chairperson. The votes of two members shall be required for any final order to be issued by the board. Meetings may be called by the chairperson and shall be called on request of a majority of the members of the board and when otherwise prescribed by statute.

(b) Any member appointed to the state board of tax appeals and the chief hearing officer may be removed by the governor for cause, after public hearing conducted in accordance with the provisions of the Kansas administrative procedure act.

(c) The state board of tax appeals shall appoint, subject to approval by the governor, an executive director of the board, to serve at the pleasure of the board. The executive director shall: (1) Be in the unclassified service under the Kansas civil service act; (2) devote full time to the executive director's assigned duties; (3) receive such compensation as determined by the board, subject to the limitations of appropriations thereof; and (4) have familiarity with the tax appeals process sufficient to fulfill the duties of the office of executive director. The executive director shall perform such other duties as directed by the board.

(d) Appeals decided by the state board of tax appeals shall be made available to the public and shall be published by the board on the board's website within 30 days after the decision has been rendered. The board shall also publish a monthly report that includes all appeals decided that month as well as all appeals which have not yet been decided and are beyond the time limitations as set forth in K.S.A. 74-2426, and amendments thereto. Such report shall be made available to the public and transmitted by the board to the members of the Kansas legislature.

(e) After appointment, members of the state board of tax appeals that are not otherwise a state certified general real property appraiser shall complete the following course requirements: (1) A tested appraisal course of not less than 30 clock hours of instruction consisting of the fundamentals of real property appraisal with an emphasis on the cost and sales approaches to value; (2) a tested appraisal course of not less than 30 clock hours of instruction consisting of the fundamentals of real property appraisal with an emphasis on the income approach to value; (3) a tested appraisal course of not less than 30 clock hours of instruction with an emphasis on mass appraisal; (4) an appraisal course with an emphasis on Kansas property tax laws; (5) an appraisal course on the techniques and procedures for the valuation of state assessed properties with an emphasis on unit valuation; and (6) a tested appraisal course on the techniques and procedures for the valuation of land devoted to agricultural use pursuant to K.S.A. 79-1476, and amendments thereto. Any member appointed to the board who is a certified real property appraiser shall only be required to take such educational courses as are required to maintain the appraisal license. The executive director shall adopt rules and regulations prescribing a timetable for the completion of the course requirements and

prescribing continued education requirements for members of the board.

(f) The state board of tax appeals shall have no capacity or power to sue or be sued.

(g) It is the intent of the legislature that proceedings in front of the board of tax appeals be conducted in a fair and impartial manner and that all taxpayers are entitled to a neutral interpretation of the tax laws of the state of Kansas. The provisions of the tax laws of this state shall be applied impartially to both taxpayers and taxing districts in cases before the board. Valuation appeals before the board shall be decided upon a determination of the fair market value of the fee simple of the property. Nothing in this section shall prohibit a property owner, during a property valuation appeal before the board, from raising arguments regarding classification. Cases before the board shall not be decided upon arguments concerning the shifting of the tax burden or upon any revenue loss or gain which may be experienced by the taxing district.

(h) Notwithstanding any provisions of subsection (a) to the contrary, the governor may appoint a former member in good standing of the board of tax appeals to serve as a member pro tempore of the board for a period not to exceed one year when, after having exercised due diligence, more than one vacancy on the board exists. Such member pro tempore may exercise any power, duty or function as is necessary to serve as a member of the board. Such member pro tempore shall serve at the pleasure of the governor and receive compensation for each day of actual attendance or work as a member based on a prororation of the annual salary provided in K.S.A. 74-2434, and amendments thereto. The provisions of this subsection shall expire on June 30, 2023.;

On page 14, in line 23, after the first comma by inserting "74-2433,";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the first semicolon by inserting "burden of proof of judicial review in district court; extending the time a board member may continue to serve after such member's term expires; authorizing appointment by the governor of a member pro tempore under certain conditions;"; in line 6, after the comma by inserting "74-2433,"; and the bill be passed as amended.

Committee on **Taxation** recommends **SB 147** be amended on page 47, in line 30, by striking the third "and"; in line 35, after "form" by inserting ";

(nnnn) all sales of tangible personal property or services purchased by friends of hospice of Jefferson county, an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the purpose of providing support to the Jefferson county hospice agency in end-of-life care of Jefferson county families, friends and neighbors, and all sales of entry or participation fees, charges or tickets by friends of hospice of Jefferson county for such organization's fundraising event for such purpose";

On page 1, in the title, in line 3, after the semicolon by inserting "providing an exemption for friends of hospice of Jefferson county;"; and the bill be passed as amended.

## MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2104** and has appointed Senators Tyson, Alley and Holland as conferees on the part of the Senate.

The Senate concurs in House amendments to **SB 65**.

The Senate concurs in House amendments to **SB 66**.

The Senate concurs in House amendments to **SB 90**.  
Announcing passage of **HB 2050, HB 2162, HB 2214, HB 2367**.

#### **CHANGE OF REFERENCE**

Speaker Ryckman announced the withdrawal of **SB 98** from Committee on Taxation and referral to Committee on Financial Institutions and Rural Development.

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker Ryckman announced the appointment of Rep. Woodard to replace Rep. Xu on committee on Financial Institutions and Rural Development on March 30, 2021.

#### **REPORT ON ENROLLED BILLS**

**HB 2008, HB 2014, HB 2172, HB 2270, HB 2321** reported correctly enrolled, properly signed and presented to the Governor on March 29, 2021.

#### **REPORT ON ENGROSSED BILLS**

**HB 2176** reported correctly engrossed March 26, 2021.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6009** reported correctly enrolled and properly signed on March 29, 2021.

On motion of Rep. Hawkins, the House adjourned until 10:00 a.m., Tuesday, March 30, 2021.

# Journal of the House

## FIFTY-FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, March 30, 2021, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 124 members present.

Rep. Howard was excused on verified illness.

Excused later: Rep. Croft.

Prayer by Chaplain Brubaker:

Lord God,  
Thank You for this day and this opportunity  
to once again be entrusted to that which You provide.  
As we recognize the beginning of Spring  
with new life emerging,  
may we be as confident and sure of Your care and purpose  
as the flowers and trees that You created.  
As the heat of pressure increases,  
and the schedules of long days become withering,  
refresh each one with Your spirit.  
As storms of debate and disagreements increase,  
help each one to lean into Your promises.  
When the drought of uncertainty and insignificance  
depletes us of hope, revive our faithfulness in You  
and the purpose for which we are here.  
In Your Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Hoye.

### REFERENCE OF BILLS AND RESOLUTIONS

The following bill and resolution were referred to committees as indicated:

Federal and State Affairs: **HB 2453**.

Committee of the Whole: **HR 6015**.

### CONSENT CALENDAR

No objection was made to **SB 16** appearing on the Consent Calendar for the second day.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**HB 2316**, AN ACT concerning financial institutions; relating to payments made with credit and debit cards; eliminating the prohibition of a surcharge for use of such cards; amending K.S.A. 72-1176 and 75-30,100 and K.S.A. 2020 Supp. 12-16,125 and 19-122 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 16a-2-403, was considered on final action.

On roll call, the vote was: Yeas 90; Nays 34; Present but not voting: 0; Absent or not voting: 1.

Yeas: Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bishop, Borjon, Burris, Burroughs, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Gartner, Haswood, Hawkins, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Murphy, Neelly, Neighbor, Newland, Orr, Owens, F. Patton, Penn, Poetter, Poskin, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Wolfe Moore.

Nays: Alcalá, Amyx, Bergquist, Blex, Byers, Clayton, Coleman, Curtis, Featherston, Finney, Garber, Helgerson, Helmer, Henderson, Hoyer, Kelly, Kuether, Miller, Moser, Ohaebosim, Ousley, Parker, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Toplikar, Vaughn, Victors, Weigel, Winn, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**HB 2363**, AN ACT concerning the board of indigents' defense services; relating to appointed counsel; increasing the maximum rate paid to appointed counsel; amending K.S.A. 22-4507 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 116; Nays 8; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Miller, Minnix, Moser, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Garber, Humphries, Jacobs, Lee-Hahn, Mason, Murphy, Rhiley, Seiwert.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2380**, AN ACT concerning the healthcare stabilization fund; relating to minimum professional liability insurance coverage requirements; changing membership of the board of governors; service of notice thereon; amending K.S.A. 40-3409 and K.S.A. 2020 Supp. 40-3402, 40-3403, 40-3408, 40-3414 and 40-3424 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 104; Nays 20; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Croft, Curtis, Day, Dodson, M., Donohoe, Ellis, Eplee, Estes, Featherston, Finch, Finney, Francis, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Tarwater, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Bergkamp, Bergquist, Burris, B. Carpenter, Corbet, Delperdang, Esau, Fairchild, French, Garber, Helmer, Houser, Howe, Jacobs, Lee-Hahn, Moser, Poetter, Rhiley, Sutton, Thomas.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2408**, AN ACT concerning the disposition of certain state real property; authorizing the state historical society to convey certain real property located in Doniphan county; imposing certain conditions; prescribing costs of conveyance, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler,

K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**HB 2412**, AN ACT concerning the attorney general; enacting the Kansas fights addiction act; providing for the expenditure of moneys recovered in opioid litigation; establishing a grant program to address the effects of substance abuse and addiction; Kansas fights addiction grant review board; Kansas fights addiction fund and municipalities fight addiction fund, was considered on final action.

On roll call, the vote was: Yeas 81; Nays 43; Present but not voting: 0; Absent or not voting: 1.

Yeas: Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burroughs, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Hawkins, Helgerson, Helmer, Highland, Hoffman, Hoheisel, Howe, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Awerkamp, Bishop, Burris, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Garber, Gartner, Haswood, Henderson, Highberger, Houser, Hoyer, Jacobs, Kuether, Lee-Hahn, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poetter, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

#### EXPLANATION OF VOTE

MR SPEAKER: I vote “No” on **HB 2412**. I stand in amazement that government passes laws to expand drugs, alcohol and other addictive properties then government is shocked that societal problems have risen. Then in the government’s “wisdom” it sues or taxes those activities and then offers another government program to deal with the problem it created.

“The moral principles and precepts contained in the Scripture ought to form the basis of all our civil constitutions and laws.” Noah Webster. – TREVOR JACOBS, TATUM LEE-HAHAN

**HB 2417**, AN ACT concerning alcoholic beverages; relating to retailers, clubs and drinking establishments; allowing the removal of beer and cereal malt beverage from licensed premises; amending K.S.A. 2020 Supp. 41-308 and 41-2653, as amended by section 1 of 2021 Senate Bill No. 14, and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 18; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Eplee, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Miller, Moser, Neelly, Neighbor, Newland, Ohaebosim, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Baker, Burris, Carmichael, Ellis, Esau, Helgerson, Helmer, Huebert, Jacobs, Mason, Minnix, Murphy, Orr, Rahjes, Rhiley, Seiwert, Weigel, Wheeler.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed.

**SB 50**, AN ACT concerning taxation; relating to sales and compensating use tax; requiring the collection and remittance for sales, compensating use and transient guest taxes and prepaid wireless 911 fees made on marketplace facilitator platforms; removing click-through nexus provisions; relating to income tax; providing for addition and subtraction modifications for the treatment of global intangible low-taxed income, business interest, capital contributions, FDIC premiums and business meals; expanding the expense deduction for income taxpayers and calculating the deduction amount; providing the ability to elect to itemize for individuals; exemption of unemployment compensation income attributable as a result of identity fraud; removing the line for reporting compensating use tax from individual tax returns; extending the dates when corporate tax returns are required to be filed; increasing the Kansas standard deduction; providing for an extension of the corporate net operating loss carryforward period; amending K.S.A. 79-3221, 79-3221o, 79-32,117, 79-32,119, 79-32,120, 79-32,138, 79-32,143, 79-32,143a and 79-3702 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 81; Nays 43; Present but not voting: 0; Absent or not voting: 1.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Highland, Hoffman, Hoheisel, Howe, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Helmer, Henderson, Highberger, Houser, Hoye, Jacobs, Kuether, Miller, Neighbor,

Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Samsel, Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

#### EXPLANATIONS OF VOTE

MR. SPEAKER, I vote no on **Senate Bill 50**. Year after year, the majority party campaigns on the promise of lower taxes. But given the opportunity, they consistently chose the state's largest corporations over the well-being of average Kansans. The House majority rejected easing the tax burden on the unemployed. They rejected food sales tax relief for our poorest families. They refused meaningful aid for every tax filer in Kansas by rejecting a larger increase in the state's standard deduction – all so they could further line the pockets of the wealthiest multi-national corporations in our state that have evaded paying their fair share by hiding money overseas. – TOM SAWYER, STEPHANIE BYERS, LINDSAY VAUGHN, CINDY NEIGHBOR, CHRISTINA HASWOOD, RUI XU, JENNIFER DAY, ELIZABETH BISHOP, JASON PROBST, LINDA FEATHERSTON

MR. SPEAKER: I strongly oppose the provision in **SB 50** that imposes a sales tax on internet sales. Jeff Bezos and Amazon aren't paying this tax; our neighbors are. In the smallest communities in our state, many Kansans depend on internet retailers to get the items they need to live their lives.

But the other provisions in this bill are vitally needed for Kansas to recover from Governor Kelly's disastrous Coronavirus economic shutdown. They put money back in the pockets of small business owners so they can restore their businesses, hire back our neighbors, and bring jobs and opportunity back to Kansas. For that reason, only, I still vote "yes" on **SB 50**. – PAT PROCTOR, CHARLES E. SMITH, TATUM LEE-HAHN

MR. SPEAKER: I vote no on **Senate Bill 50**. The majority party had an opportunity today to provide meaningful tax relief to Kansans. Unfortunately, they chose the state's largest multi-national corporations over our state's taxpayers. In a year that has seen Kansas families face unimaginable difficulties, the majority party rejected every attempt to ease Kansans' burden. Instead they dutifully worked to provide tax relief to companies that have realized record profits while Kansas families struggled to pay their bills. **SB 50** is a familiar road we've been down before – it gives the meat of the tax cuts to the wealthiest, while offering only crumbs of token relief to working families. – TOM BURROUGHS

MR. SPEAKER: I vote "No" on **SB 50**. I am not opposed of helping and supporting all legal, moral businesses. However, I will not vote "Yes" on raising taxes on one group of businesses. I agreed to lower taxes to achieve a "fair playing field" for all taxpayers. In the Republican State Party Platform, it declares "*our economy will grow when government is smaller and efficient.*" Maybe instead of expanding government, government should become less burdensome and more efficient and save taxpayers their own hard-earned money! – TREVOR JACOBS, MICHAEL HOUSER

MR. SPEAKER: I proudly vote Yes on **SB 50**. It is a common sense tax-reform package that rectifies most of the negative effects on Kansas businesses and families from the 2018 Federal tax act. The state of Kansas had admitted in committee testimony that

they were raking in up to \$150 million tax dollars annually via their stealth 2018 tax hike. This bill eliminates that burden on our taxpayers. It makes Kansas a better place for international business and keeps us economically competitive with other states in the Midwest. Good tax policy matters, and **SB 50** is GOOD tax policy. – PAUL WAGGONER

**SB 60**, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal sodomy, aggravated criminal sodomy and aggravated sexual battery; creating criminal liability for such offenses when consent was obtained through a knowing misrepresentation; jurisdictional application; defining proximate result for purposes of determining when a crime is committed partly within this state; amending K.S.A. 2020 Supp. 21-5106, 21-5504 and 21-5505 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 113; Nays 11; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Orr, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Woodard, Xu.

Nays: Bishop, Burroughs, Byers, Carlin, Carmichael, Finney, Highberger, Ohaebosim, Ousley, Stogsdill, Winn.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**H Sub SB 78**, AN ACT concerning insurance; relating to the regulation of the business thereof; reinsurance of risk; updating the national association of insurance commissioners credit for reinsurance model law; insurance company holding act; codifying the national association of insurance commissioners credit for reinsurance model regulation; updating certain definitions relating to service contracts and surplus lines insurance; interest rates calculations relating to nonforfeiture law for individual deferred annuities; application requirements for certification of utilization review organizations; requirements for out-of-state risk retention groups to do business in state; applications for registration of professional employer organizations; abolishing the automobile club services act; amending K.S.A. 40-22a04, 40-22a06 and 40-4103 and K.S.A. 2020 Supp. 40-201a, 40-221a, 40-246i, 40-4,104, 40-22a05, 40-3302, 40-3304, 40-3306 and 44-1704 and repealing the existing sections; also repealing K.S.A. 40-2405, 40-2501, 40-2502, 40-2503, 40-2504, 40-2505, 40-2506, 40-2507, 40-2508, 40-2509, 40-2510, 40-2511, 40-2512 and 40-2513, was considered on final action.

On roll call, the vote was: Yeas 124; Nays 0; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard.

The substitute bill passed.

**SB 106**, AN ACT enacting the revised uniform law on notarial acts; repealing the uniform law on notarial acts; amending K.S.A. 16-1611, 58-2209 and 58-2211 and K.S.A. 2020 Supp. 25-3602, 25-3902, 25-3902a, 25-3904, 25-3904a, 49-512, 58-652 and 58-4403 and repealing the existing sections; also repealing K.S.A. 53-101, 53-102, 53-103, 53-104, 53-105, 53-105a, 53-106, 53-107, 53-109, 53-113, 53-114, 53-115, 53-116, 53-117, 53-119, 53-120, 53-501, 53-502, 53-503, 53-504, 53-505, 53-506, 53-507, 53-508, 53-510 and 53-511 and K.S.A. 2020 Supp. 53-118, 53-121 and 53-509, was considered on final action.

On roll call, the vote was: Yeas 122; Nays 2; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Garber, Rhiley.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**SB 122**, AN ACT concerning civil procedure; relating to the rules of evidence; methods to satisfy requirement to authenticate or identify records and documents; amending K.S.A. 60-464 and 60-467 and K.S.A. 2020 Supp. 60-460 and 60-465 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 7; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Wayment, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, Fairchild, Garber, Jacobs, Lee-Hahn, Poetter, Rhiley.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**H Sub SB 124**, AN ACT concerning STAR bonds; prohibiting public officials from benefiting from STAR bond projects; relating to the financing of STAR bond projects and rural redevelopment projects; eligible areas; public notice of hearings on city or county website; posting of documents and link to department of commerce database; disclosure of names of developer; major business facility; real estate transfers; plan for tracking the number of visitors; feasibility study requirements; disclosure of state, federal and local tax incentives within STAR bond district; capital investment and annual sales requirements; STAR bond districts; contiguity; project costs; sunset date; amending K.S.A. 2020 Supp. 12-17,162, 12-17,165, 12-17,166, 12-17,169, 12-17,171 and 12-17,179 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 101; Nays 23; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Amyx, Anderson, Arnberger, Ballard, Barker, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Dodson, M., Donohoe, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Hoye, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C.,

Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, Baker, Bergkamp, Bergquist, Blex, Burris, B. Carpenter, Delperdang, Ellis, Eplee, Esau, Fairchild, Garber, Houser, Howe, Huebert, Jacobs, Landwehr, Lee-Hahn, Penn, Poetter, Rhiley, Winn.

Present but not voting: None.

Absent or not voting: Howard.

The substitute bill passed, as amended.

**SB 127**, AN ACT concerning drivers' licenses; relating to online renewals of commercial driver's licenses and licenses for individuals up to 65 years of age; providing for the renewal of licenses to be delivered electronically; eligibility for restricted driving privileges; renewal of expired licenses and identification cards; permitting the waiver of traffic fines and court costs in certain manifest hardship situations; amending K.S.A. 2020 Supp. 8-240, 8-247, 8-1325 and 8-2110 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 8-2110b, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Helmer.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**SB 172**, AN ACT concerning crimes, punishment and criminal procedure; creating the crimes of trespassing on a critical infrastructure facility and criminal damage to a critical infrastructure facility; eliminating the crime of tampering with a pipeline; requiring payment of restitution; amending K.S.A. 2020 Supp. 21-5818, 21-6328 and 21-6604 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 82; Nays 42; Present but not voting: 0; Absent or not voting: 1.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Croft,

Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcala, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Corbet, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Houser, Howe, Hoyer, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

**H Sub SB 273**, AN ACT concerning tobacco products; relating to the sale thereof; remitting certain payments from tobacco product manufacturers to the credit of the Kansas endowment for youth fund rather than deposit into escrow upon certification by the attorney general; amending K.S.A. 50-6a01 and 50-6a03 and K.S.A. 2020 Supp. 50-6a04 and 50-6a09 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 1; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Carlin.

Present but not voting: None.

Absent or not voting: Howard.

The substitute bill passed.

**SB 283**, AN ACT concerning the governmental response to the COVID-19 pandemic in Kansas; extending the expanded use of telemedicine in response to the COVID-19 public health emergency; extending the authority of the board of healing arts to grant certain temporary emergency licenses; imposing requirements related thereto and expiring such provisions; extending the suspension of certain requirements related to medical care facilities and expiring such provisions; modifying the COVID-19 response

and reopening for business liability protection act; extending immunity from civil liability for certain healthcare providers and for certain persons conducting business in this state for COVID-19 claims until March 31, 2022; amending K.S.A. 2020 Supp. 48-963, as amended by section 7 of 2021 Senate Bill No. 14, 48-964, 48-965, as amended by section 8 of 2021 Senate Bill No. 14, 60-5503, 60-5504, as amended by section 10 of 2021 Senate Bill No. 14, 60-5508 and 65-468 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 96; Nays 28; Present but not voting: 0; Absent or not voting: 1.

Yeas: Anderson, Arnberger, Averkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Byers, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Gartner, Hawkins, Helgerson, Helmer, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Orr, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, S., Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Wolfe Moore, Woodard.

Nays: Alcala, Amyx, Bishop, Burroughs, Carlin, Carmichael, Coleman, Curtis, Day, Featherston, Finney, Haswood, Henderson, Jacobs, Lee-Hahn, Miller, Ohaebosim, Ousley, Probst, Rhiley, Ruiz, L., Sawyer, Stogsdill, Toplikar, Victors, Weigel, Winn, Xu.

Present but not voting: None.

Absent or not voting: Howard.

The bill passed, as amended.

### **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **HB 2007** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Proehl, Delperdang and Helgerson as conferees on the part of the House.

On motion of Rep. Jennings, the House nonconcurred in Senate amendments to **HB 2026** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Jennings, Owens and Highberger as conferees on the part of the House.

On motion of Rep. Rahjes, the House nonconcurred in Senate amendments to **S Sub HB 2102** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Rahjes, E. Smith and Carlin as conferees on the part of the House.

On motion of Rep. Barker, the House nonconcurred in Senate amendments to **HB 2137** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Barker, Arnberger and L. Ruiz as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurred in Senate amendments to **Sub HB 2166** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Proehl, Delperdang and Helgeson as conferees on the part of the House.

On motion of Rep. S. Johnson, the House nonconcurred in Senate amendments to **HB 2243** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. S. Johnson, Croft and Neighbor as conferees on the part of the House.

On motion of Rep. Barker, the House nonconcurred in Senate amendments to **S Sub HB 2252** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Barker, Arnberger and L. Ruiz as conferees on the part of the House.

On motion of Rep. Landwehr, the House nonconcurred in Senate amendments to **HB 2254** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Landwehr, Eplee and Parker as conferees on the part of the House.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Rahjes in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. Rahjes, Committee of the Whole report, as follows, was adopted:

Recommended that **HR 6015** be adopted.

Committee report recommending a substitute bill to **HB 2119** be adopted.

Also, on motion of Rep. Estes, **Substitute for HB 2119**, be amended on page 2, in line 26, by striking "a bonus" and inserting "additional compensation"; in line 27, after "2020-2021" by inserting "for duties beyond the normal scope related to teaching during a pandemic, including, but not limited to, creation of new lesson plans for remote and distance instruction modes, classroom modifications for social distancing, maintaining sanitary conditions and home visits"

Also, on motion of Rep. A. Smith, **Substitute for HB 2119**, be amended on page 14, in line 10, by striking "(1)"; in line 11, by striking all before "that"; in line 12, by striking "(A)" and inserting "(1)"; in line 14 by striking "(B)" and inserting "(2)"; by striking all in lines 16 through 18;

On page 20, in line 25 by striking all after the first "school"; by striking all in line 26; in line 27 by striking all before the second "and"

Also, on motion of Rep. Huebert, **Substitute for HB 2119**, be amended on page 1, following line 17, by inserting:

"WHEREAS, The Kansas Legislature and the Kansas Supreme Court agree that, for Kansans, children are our state's most valuable resource; and

WHEREAS, The Kansas Supreme Court in *Gannon IV* found that nearly 25% of all public education students are not performing at grade level and that significant achievement gaps exist between all students and certain subgroups of students; and

WHEREAS, The Kansas Supreme Court acknowledged that certain student

subgroups can have their own special achievement challenges; and

WHEREAS, Throughout the *Gannon* litigation, the Legislature has committed to improving the academic achievement of all students with a particular focus on the students identified by the Court; and

WHEREAS, The Kansas Supreme Court has ruled that the the current school finance system provides constitutionally adequate funding and equitable allocation of resources and that the Legislature has substantially complied with the Court's orders expressed in *Gannon VI*; and

WHEREAS, Special challenges require special measures and the Legislature remains committed to providing a finance system that is flexible and offers tailored solutions to raise academic achievement, particularly for those students who face special challenges; and

WHEREAS, Education savings accounts that target those students who qualify for at-risk educational services provide an additional way for families to tailor the entire educational experience of the student, as opposed to simply tailoring the schooling of such student; and

WHEREAS, Providing families with the access and means necessary to customize the educational experience of a student will provide families with options to increase the student's academic achievement.

Now, therefore:"

On page 13, in line 33, by striking all after "(1)"; by striking all in line 34; in line 35 by striking "(2)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

Also, on motion of Rep. Hoffman, **Substitute for HB 2119**, be amended on page 7, by striking all in lines 40 through 43;

On page 8, by striking all in lines 1 through 9;

On page 10, in line 25, by striking all after "(m)"; by striking all in lines 26 through 43;

On page 11, by striking all in lines 1 through 34; in line 35, by striking all before the period and inserting "Notwithstanding the provisions of any other statute, any appropriation act or any other provision of this act, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for such purpose to provide school safety and security grants: *Provided*, That such expenditures shall not exceed \$5,000,000: *Provided further*, That expenditures shall be made for fiscal year 2022 for disbursements of grant moneys approved by the state board of education for the acquisition and installation of security cameras and any other systems, equipment and services necessary for security monitoring of facilities operated by a school district and for securing doors, windows

and any entrances to such facilities: *Provided further*, That all moneys expended for school safety and security grants for fiscal year 2022 shall be matched by the receiving school district on a \$1-for-\$1 basis from other moneys of the district that may be used for such purpose as permitted under federal law: *Provided further*, That if the above agency determines such moneys may not be used for such purposes, expenditures shall not be made and the agency shall send a copy of such determination to the director of the budget and the director of legislative research.

(n) Notwithstanding the provisions of any other statute, any appropriation act or any other provision of this act, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for such purpose for the mental health intervention team pilot program: *Provided*, That such expenditures shall not exceed \$3,924,160: *Provided further*, That if the above agency determines such moneys may not be used for such purposes, expenditures shall not be made and the agency shall send a copy of such determination to the director of the budget and the director of legislative research.

(o) Notwithstanding the provisions of any other statute, any appropriation act or any other provision of this act, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for such purpose for the communities in schools program: *Provided*, That such expenditures shall not exceed \$100,000: *Provided further*, That if the above agency determines such moneys may not be used for such purposes, expenditures shall not be made and the agency shall send a copy of such determination to the director of the budget and the director of legislative research"

Also, on motion of Rep. Francis, **Substitute for HB 2119** be amended on page 26, in line 43, after "(1)" by inserting "except when such limitations are waived by the state board pursuant to this section";

On page 27, in line 1, by striking all after "(3)"; in line 2, by striking all before the period and inserting "The state board of education may waive the requirements of law relating to the remote learning limitations in any school year upon application for such waiver by a school district. The waiver may be granted by the state board of education upon: (A) Certification by a board of education that, due to disaster, conditions resulting

from widespread or severe property damage caused by the disaster or other conditions restricting the operation of public schools will exist in the school district for an inordinate period of time; and (B) a determination by the state board that the school district cannot reasonably adjust its schedule to comply with such requirements of law and that remote learning beyond the limitations provided in this section would allow the school district to continue to provide education to students during such conditions" and the substitute bill be passed as amended.

On motion of Rep. Hawkins, the House recessed until 2:30 p.m.

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#### AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

#### MESSAGES FROM THE GOVERNOR

March 11, 2021

*Message to the Kansas House of Representatives:*

Enclosed herewith is Executive Directive No. 21-531 for your information.

EXECUTIVE DIRECTIVE NO. 21-531  
Concerning Authorizing Expenditure of Federal Funds

Laura Kelly  
*Governor*

March 19, 2021

*Message to the Kansas House of Representatives:*

Enclosed herewith is Executive Directive No. 21-532 for your information.

EXECUTIVE DIRECTIVE NO. 21-532  
Concerning Authorizing Personnel Transactions

Laura Kelly  
*Governor*

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Thompson, the House concurred in Senate amendments to **HB 2178**, AN ACT concerning cities; relating to the vacation of territory, easements or certain blocks; providing procedures to challenge certain decisions of a city; amending K.S.A. 12-504 and 12-505 and repealing the existing sections.

On roll call, the vote was: Yeas 121; Nays 2; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes,

Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Carmichael, Helmer.

Present but not voting: None.

Absent or not voting: Howard, Jacobs.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. S. Johnson in the chair.

#### COMMITTEE OF THE WHOLE

On motion of Rep. S. Johnson, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2448** be passed.

Committee report recommending a substitute bill to **HB 2397** be adopted.

Also, on motion of Rep. Waymaster, **Substitute for HB 2397**, be amended on page 145, in line 34 by adding \$350,000 to the dollar amount and by adjusting the dollar amount in line 34 accordingly

Also, roll call was demanded on motion of Rep. Parker to amend **Substitute for HB 2397** on page 115, following line 36, by inserting:

"(n) Notwithstanding the provisions of K.S.A. 39-709(e)(2), and amendments thereto, or any other provision of law to the contrary, during the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds as authorized by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made to expand eligibility for receipt of benefits under title XIX of the social security act, commonly known as medicaid, as provided for in the patient protection and affordable care act, public law 111-148, and the health care and education reconciliation act of 2010, public law 111-152, to any adult under 65 years of age who is not pregnant and whose modified adjusted gross income does not exceed 138% of the federal poverty level." .

Rep. Waymaster challenged the amendment under the Pay-Go provision of House Rule 2110. The amendment was ruled to be in order.

On roll call, the vote was: Yeas 46; Nays 78; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carlson, Carmichael, Clark, Clayton, Coleman, Concannon, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller,

Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Samsel, Sawyer, Schreiber, Stogsdill, Vaughn, Victors, Weigel, Wheeler, Winn, Wolfe Moore, Woodward, Xu.

Nays: Anderson, Arnberger, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, B. Carpenter, W. Carpenter, Collins, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, K. Williams.

Present but not voting: None.

Absent or not voting: Howard.

The motion of Rep. Parker to amend did not prevail.

Also, on motion of Rep. B. Carpenter, **Substitute for HB 2397** be amended on page 33, following line 9 by inserting:

"(c) Notwithstanding the provisions of K.S.A. 2020 Supp. 75-7c05, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the attorney general from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to fix, charge and collect a nonrefundable fee for the purpose of obtaining a concealed carry handgun license of \$112, if the applicant has not previously been issued a statewide license or if the applicant's license has permanently expired, which fee shall be in the form of two cashier's checks, personal checks or money orders of \$32.50 payable to the sheriff of the county where the applicant resides and \$79.50 payable to the attorney general."

And by redesignating subsections accordingly

Also, on motion of Rep. Samsel to amend **Substitute for HB 2397**, the motion did not prevail.

Also, on motion of Rep. Helgeson, **Substitute for HB 2397** be amended on page 264, following line 3, by inserting:

"Sec. 139. (a) On July 1, 2021, of each amount appropriated for a state agency for the fiscal year ending June 30, 2022, by chapter 5 of the 2020 Session Laws of Kansas, 2021 Substitute for House Bill No. 2119, this act or other appropriation act of the 2021 regular session of the legislature from the state general fund, the sum equal to 2% of such appropriation that is not exempt is hereby lapsed. Any item of appropriation for debt service for payments pursuant to contractual bond obligations is exempt from and shall not be reduced by such lapsing provision.

(b) On July 1, 2021, of each amount reappropriated for a state agency for the fiscal year ending June 30, 2022, by chapter 5 of the 2020 Session Laws of Kansas, 2021 Substitute for House Bill No. 2119, this act or other appropriation act of the 2021 regular session of the legislature from the state general fund, the sum equal to 2% of such reappropriation that is not exempt is hereby lapsed. Any item of reappropriation for debt service for payments pursuant to contractual bond obligations is exempt from

and shall not be reduced by such lapsing provision."; and by renumbering sections accordingly

Also, on motion of Rep. Helgeson to re-refer **Substitute for HB 2397** to Committee on Appropriations, the motion did not prevail; and the substitute bill be passed as amended.

Committee report recommending a substitute bill to **SB 84** be adopted.

Also, on motion of Rep. Resman, **House Substitute for Substitute for SB 84** be amended, on page 23, in line 31, by striking "or greyhound"; in line 33, by striking "or"; in line 34, after "(B)" by inserting "any greyhound race; or  
(C)"

Also, roll call was demanded on motion of Rep. Landwehr to amend **House Substitute for Substitute for SB 84**, on page 12, following line 36, by inserting:

"New Sec. 17. (a) There is hereby established in the state treasury the certified community behavioral health clinics fund, and such fund shall be administered by the secretary for aging and disability services. Moneys in the fund shall be used for funding certified community behavioral health clinics.

(b) All expenditures from the 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 secretary for aging and disability services or the secretary's designee.

(c) The certified community behavioral health clinics fund shall be used for the purposes set forth in this section and for no other governmental purposes. It is the intent of the legislature that the fund shall remain intact and inviolate for the purposes set forth in this section, and moneys in the fund shall not be subject to the provisions of K.S.A. 75-3722, 75-3725a and 75-3726a, and amendments thereto.

New Sec. 18. (a) There is hereby established in the state treasury the Kansas court appointed special advocates fund. The judicial administrator of the office of judicial administration shall administer such fund. All moneys credited to the Kansas court appointed special advocates fund shall only be expended for the purpose of appointing special advocates in Kansas to represent children in Kansas.

(b) All expenditures from the 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 judicial administrator, or the administrator's designee, for the purposes set forth in this section.";

On page 27, in line 36, after "general" by inserting ", the certified community behavioral health clinics fund and the Kansas court appointed special advocates fund";

On page 28, in line 25, by striking all after "(f)"; by striking all in lines 26 through 29; in line 30, by striking all before the period and inserting "Commencing in fiscal year 2023, on or before the 10<sup>th</sup> day of each month, the executive director shall certify to the director of accounts and reports all sports wagering revenues deposited in the lottery operating fund. On July 1, 2022, and each July 1 thereafter, or as soon thereafter as moneys are available, the first \$750,000 certified by the executive director as sports wagering revenues deposited in the lottery operating fund shall be transferred by the director of accounts and reports from the lottery operating fund to the white collar crime fund established in section 13, and amendments thereto. Of the remaining certified

amount, the director of accounts and reports shall transfer:

(1) 50% of such remaining certified amount from the lottery operating fund to the certified community behavioral health clinics fund established in section 17, and amendments thereto; and

(2) 30% of such remaining certified amount from the lottery operating fund to the Kansas court appointed special advocates fund established in section 18, and amendments thereto";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, by striking "and" and inserting a comma; in line 6, after "fund" by inserting ", the certified community behavioral health clinics fund and the Kansas court appointed special advocates fund"

On roll call, the vote was: Yeas 56; Nays 66; Present but not voting: 0; Absent or not voting: 3.

Yeas: Amyx, Arnberger, Ballard, Barker, Bergquist, Bishop, Burris, Byers, Carlin, Carmichael, B. Carpenter, W. Carpenter, Collins, Curtis, Delperdang, Donohoe, Eplee, Esau, Estes, Finch, Finney, Francis, French, Haswood, Hawkins, Helmer, Highberger, Hoheisel, Huebert, Humphries, T. Johnson, Kelly, Kessler, Landwehr, Lynn, Mason, Minnix, Newland, Ousley, Owens, F. Patton, Penn, Proehl, Rahjes, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Smith, C., Smith, E., Stogsdill, Thomas, Victors, Wasinger, K. Williams.

Nays: Alcala, Anderson, Awerkamp, Baker, Bergkamp, Blex, Borjon, Burroughs, Carlson, Clark, Clayton, Coleman, Concannon, Corbet, Day, Dodson, M., Ellis, Fairchild, Featherston, Garber, Gartner, Helgerson, Henderson, Highland, Hoffman, Houser, Howe, Hoye, Jacobs, Jennings, S. Johnson, Kuether, Lee-Hahn, Long, Miller, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Orr, Parker, Poetter, Poskin, Probst, Proctor, Ralph, Resman, Rhiley, Sawyer, Schreiber, Seiwert, Smith, A., Sutton, Tarwater, Thompson, Turner, Vaughn, Waggoner, Waymaster, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Croft, Howard, Toplikar.

The motion of Rep. Landwehr to amend did not prevail.

Also, roll call was demanded on motion of Rep. Awerkamp to amend **House Substitute for Substitute for SB 84**, on page 1, in line 14, by striking all after "act"; in line 15, by striking all before the period; in line 16, by striking the colon; by striking all in lines 17 through 30; in line 31, by striking "(3)"; in line 35, by striking "4" and inserting "3"; by striking all in line 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 32; in line 33, by striking "(a)"; in line 36, by striking all after the period; by striking all in lines 37 through 40; in line 41, by striking all before the second "Sports";

On page 4, in line 1, by striking "expanded"; by striking all in lines 2 through 21; in line 23, by striking all after the first "lottery"; in line 24, by striking all before "for"; in line 27, by striking all after the first "lottery"; in line 28, by striking all before the period; in line 34, by striking all before "at" and inserting "lottery"; in line 43, by striking all before "at" and inserting "lottery";

On page 5, in line 6, by striking all after the first "lottery"; by striking all in line 7; in line 8, by striking all before the period; by striking all in lines 9 through 17; in line 26,

by striking all after "(b)"; by striking all in line 27; in line 28, by striking "(c)"; in line 30, by striking "(d)" and inserting "(c)"; in line 36, by striking all after "faith"; in line 37, by striking all before "and"; in line 43, by striking all after the period;

On page 6, by striking all in line 1; in line 2, by striking all before "In"; by striking all in lines 7 through 43;

By striking all on page 7;

On page 8, by striking all in lines 1 through 32; by striking all in line 43;

By striking all on pages 9 through 11;

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

On page 17, by striking all in lines 14 through 23;

On page 18, in line 30, by striking all after the first "lottery"; in line 31, by striking all before the period;

On page 19, in line 30, by striking all after the first period;

On page 20, in line 13, by striking all after the period; by striking all in line 14;

On page 21, in line 2, by striking the third "a"; in line 3, by striking all before the first "a"; in line 31, by striking "sports wagering ticket,"; in line 35, by striking all after "retailer"; in line 36, by striking "retailer,";

On page 22, in line 7, by striking all after the first "lottery"; in line 8, by striking all before "for"; in line 9, by striking "4" and inserting "3"; by striking all in lines 17 through 21; in line 22, by striking "(aa)" and inserting "(z)";

On page 23, in line 40, by striking all after the first "lottery"; in line 41, by striking all before the period;

On page 24, by striking all in lines 4 through 14; by striking all in lines 18 through 22;

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

On page 25, in line 14, by striking all after the period; by striking all in lines 15 through 31;

On page 26, in line 28, by striking "12" and inserting "6"; in line 30, by striking all after "lottery"; in line 31, by striking all before the semicolon; also in line 31, by striking all after "(B)"; by striking all in line 32; in line 33, by striking all before "provisions"; in line 34, by striking "and"; in line 35, by striking all before the semicolon; also in line 35, by striking "(D)" and inserting "(C)";

On page 27, by striking all in lines 3 through 43;

On page 28, by striking all in lines 1 through 30;

On page 30, in line 21, after "ticket" by inserting ", except a sports wagering ticket,"; in line 23, by striking all after "(b)"; by striking all in lines 24 through 40; in line 41, by striking "(c)";

On page 31, by striking all in lines 2 through 43;

By striking all on pages 32 through 50;

On page 51, by striking all in lines 1 through 6; in line 12, by striking "46-2301,"; also in line 12, by striking ", 74-8711"; in line 13, by striking all after "74-8718"; in line 14, by striking all before the first "and";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "expanded"; in line 2, by striking "and Kansas racing and gaming commission"; in line 3, by striking all after "wagering"; by striking all in lines 4 and 5; in line 6, by striking all before the semicolon; also in line 6,

by striking "46-2301,"; also in line 6, by striking ", 74-8711"; in line 7, by striking all after "74-8718"; in line 8, by striking all before "and"

On roll call, the vote was: Yeas 48; Nays 71; Present but not voting: 0; Absent or not voting: 6.

Yeas: Awerkamp, Bergkamp, Bergquist, Blex, Burris, Carlson, B. Carpenter, Collins, Delperdang, Dodson, M., Ellis, Esau, Estes, Fairchild, French, Garber, Helgerson, Highland, Hoffman, Howe, Huebert, Humphries, Jacobs, T. Johnson, Lee-Hahn, Miller, Moser, Murphy, Neelly, Newland, Orr, Owens, Poetter, Proctor, Rhiley, Samsel, Sanders, Seiwert, Smith, C., Smith, E., Sutton, Tarwater, Toplikar, Turner, Waggoner, Wasinger, Weigel, K. Williams.

Nays: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bishop, Borjon, Burroughs, Byers, Carlin, Carmichael, W. Carpenter, Clark, Clayton, Coleman, Concannon, Corbet, Curtis, Day, Donohoe, Eplee, Featherston, Finch, Finney, Francis, Haswood, Hawkins, Helmer, Henderson, Highberger, Hoheisel, Houser, Hoye, Jennings, S. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Minnix, Neighbor, Ohaebosim, Ousley, Parker, F. Patton, Penn, Poskin, Probst, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Sawyer, Schreiber, Stogsdill, Thomas, Thompson, Vaughn, Victors, Waymaster, Wheeler, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Croft, Gartner, Howard, Mason, Smith, A., Winn.

The motion of Rep. Awerkamp to amend did not prevail.

Also, on motion of Rep. Woodard to amend **House Substitute for Substitute for SB 84**, Rep. Arnberger requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane.

The motion of Rep. Woodard to amend did not prevail.

The motion to recommend **House Substitute for Substitute for SB 84** favorably for passage did not prevail.

Committee report to **SB 159** be adopted.

Also, on motion of Rep. Helgerson to amend **SB 159**, there was objection to Rep. Helgerson's request to withdraw his amendment.

The motion of Rep. Helgerson to amend **SB 159** did not prevail; and the bill be passed as amended.

## INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hawkins pursuant to House Rule 2311, **Sub HB 2119**, **Sub HB 2397**, **HB 2448**, **SB 159** and **HR 6015** were advanced to Final Action on Bills and Concurrent Resolutions.

## FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**HR 6015**, A RESOLUTION urging the legislative coordinating council to revoke any executive order issued by the governor mandating face coverings if such an executive order is issued while the legislature is adjourned, was considered on final action.

On roll call, the vote was: Yeas 84; Nays 39; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet,

Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Croft, Howard.

The resolution was adopted.

**Sub HB 2119**, AN ACT concerning education; relating to the instruction and financing thereof; making and concerning appropriations for the department of education for fiscal years ending June 30, 2021, June 30, 2022, and June 30, 2023; creating the student empowerment act to provide education savings accounts to certain students; requiring the school term to be conducted through in-person education and allowing for limited remote learning; requiring boards of education to allocate sufficient school district moneys to improve academic performance of underachieving students; providing an alternative state aid calculation for school district remote enrollment; authorizing continuation of the 20 mill statewide property tax levy for schools and the exemption of a portion of residential property from such levy; expanding student eligibility under the tax credit for low income students scholarship program; amending K.S.A. 72-1163, 72-3115, 72-5134, 72-5151, 79-201x and 79-32,117 and K.S.A. 2020 Supp. 72-3117, 72-4352, 72-4354, 72-5131, 72-5132, 72-5142 and 72-5178 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 65; Nays 58; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Amberger, Averkamp, Barker, Bergkamp, Bergquist, Blex, Burris, B. Carpenter, W. Carpenter, Collins, Corbet, Delperdang, Dodson, M., Donohoe, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Houser, Howe, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kessler, Landwehr, Lee-Hahn, Lynn, Mason, Moser, Murphy, Neelly, Newland, Owens, Penn, Poetter, Proctor, Rahjes, Resman, Rhiley, Ryckman, Samsel, Sanders, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Toplikar, Turner, Waggoner, Wasinger, Waymaster, K. Williams.

Nays: Alcalá, Amyx, Baker, Ballard, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, Clark, Clayton, Coleman, Concannon, Curtis, Day, Ellis, Eplee, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoheisel, Hoye, Jennings, Kelly, Kuether, Long, Miller, Minnix, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Poskin, Probst, Proehl, Ralph, Ruiz, L., Ruiz, S., Sawyer, Schreiber, Stogsdill, Thompson, Vaughn, Victors, Weigel, Wheeler, Winn, Wolfe Moore,

Woodard, Xu.

Present but not voting: None.

Absent or not voting: Croft, Howard.

The substitute bill passed, as amended.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: What is our mission? Is it to educate all kids, including those most at-risk? Or, to maintain and protect an educational system even when the system cannot deliver or protect failing students who make up over 29% of our enrollment? For me, our mission must be protecting, inspiring, and engaging all learners. Our mission must be student-focused, not system-focused. Fully funding our public schools is not mutually exclusive with providing at-risk kids a chance to break free from a cycle of failure. Let's give all Kansas kids a fighting chance. I vote yes on **Sub. HB 2119**. – KRISTEY WILLIAMS

MR. SPEAKER: I vote yes on **Sub HB 2119**. Please make note of this: We DO have education choice for students who are not served by their school...oh but wait, that choice is only for families who can pick up and move to attend a school that meets their needs better. It is unconscionable to me that anyone would deny that opportunity and freedom to other students and families so their children can be better served. This bill fully funds schools, and more importantly, it offers HOPE for the most vulnerable and those who need it most. – SUSAN HUMPHRIES, LEO DELPERDANG, CHARLES E. SMITH

MR. SPEAKER: I vote no on **Substitute for House Bill 2119**. This bill combines the K-12 Education Budget with policy that shifts our public tax dollars to private schools with no strings attached. This disastrous bill puts our commitment to adequately fund our public schools at risk and uses one-time funds for long-term programs without a sustainable funding plan. Mixing essential appropriations with controversial bills is bad for Kansas kids. – TOM SAWYER, JASON PROBST, LOUIS RUIZ, PONKA-WE VICTORS, PAM CURTIS, BRANDON WOODARD, STEPHANIE CLAYTON, VALDENIA C. WINN, RUI XU, JO ELLA HOYE, CINDY NEIGHBOR, MIKE AMYX, SUSAN RUIZ, SYDNEY CARLIN, GAIL FINNEY, JOHN ALCALA, BRODERICK HENDERSON, JOHN CARMICHAEL, ELIZABETH BISHOP, JENNIFER DAY, VIRGIL WEIGEL, LINDSAY VAUGHN, BRETT PARKER, LINDA FEATHERSTON, MARI-LYNN POSKIN, STEPHANIE BYERS

MR. SPEAKER: Republicans are funding our public schools with around \$5.8 Billion – the full Governor's recommendation, plus critical item funding the Governor denied! If you care about:

- ensuring “the funding follows the child”
- giving hope, educational opportunities, and options to our At-Risk students to break the systemic cycle of failure ...and
- public school system accountability then **THIS BILL'S FOR YOU. VOTE YES!**

Don't fear the special interests, who eagerly trade our kids and teachers for their bottom line and control. Their vote in 2022 will be the same as 2020—not for you. Let's keep our word and fight for our kids! I vote yes on **Sub HB 2119** – PATRICK PENN

MR. SPEAKER: **Sub HB 2119** fully funds the Governor's budget for FY2021, 2022 and the consensus estimate for 2023. If an at-risk student chooses other educational opportunities, the base-state-aid funds the student while the current school's funding is held harmless. It allows at-risk students to remain at their current school while funding a class, community college, books, tutoring, whatever they need to succeed. At-risk funding is but a small part of the budget. If I had my perfect bill it would have changes but as with most big issues, this is a result of compromises to reach a consensus. It is good legislation. For these reasons, I vote yes on **Sub HB 2119**. – CHARLOTTE ESAU

MR. SPEAKER: Education is the most important gift we can give the children of the state next to our love. Yet, there is no perfect formula for providing that gift of knowledge. The current bill for providing that gift of knowledge may not be the perfect combination, but it clearly has all of the ingredients needed to produce a healthy stone soup meal of knowledge. Mr. Speaker, I vote yes on **Substitute House Bill 2119**. – TIM JOHNSON

MR. SPEAKER: I strongly support **Sub HB 2119** on education funding and reform. Competition is a good thing, for business, for cities, and even for schools. The tax-funded scholarships and Education savings accounts of **Sub HB 2119** have been tried successfully in multiple other states. It leverages choice in a way that benefits both our public and private schools in Kansas. It does this within the framework of the Gannon decision, so there is no way public schools can contend they are financially harmed. The focus in K-12 education should always be on the child and not the system. **Sub HB 2119** is a positive step in that direction. – PAUL WAGGONER

**HB 2448**, AN ACT concerning foster care; relating to licenses for family foster homes; creating an exemption to allow the secretary for the department of children and families to license a family foster home where a former foster care youth with juvenile adjudications resides; amending K.S.A. 65-516 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 119; Nays 4; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Long, Penn, Rhiley, Sutton.

Present but not voting: None.  
 Absent or not voting: Croft, Howard.  
 The bill passed.

**Sub HB 2397**, AN ACT making and concerning appropriations for fiscal years ending June 30, 2021, June 30, 2022, June 30, 2023, and June 30, 2024, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 75-4209, 75-6702 and 75-6706 and K.S.A. 2020 Supp. 2-223, 12-1775a, 12-5256, 55-193, 65-180, 72-5462, 74-50,107, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 71; Nays 52; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Howe, Huebert, Humphries, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Turner, Waggoner, Waymaster, K. Williams.

Nays: Alcala, Amyx, Ballard, Bishop, Burris, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Fairchild, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoheisel, Houser, Hoyer, Jacobs, Jennings, Kuether, Lee-Hahn, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poetter, Poskin, Probst, Ruiz, L., Ruiz, S., Samsel, Sawyer, Stogsdill, Thompson, Toplikar, Vaughn, Victors, Wasinger, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.  
 Absent or not voting: Croft, Howard.  
 The substitute bill passed, as amended.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote NO on **SUB HB 2397**. When I was elected, I said to my district that to the best of my ability I would be a good steward of their money like it was my own. The budgeting process is broken. The spending is out of control. In a year when our state has been shut down, businesses forced to close, we cannot in good moral conscience vote to increase government. Commas and dollar signs matter. They matter to our family budgets and they should matter in government also. In a Republican controlled House and Senate, now is our time to pull back. – TATUM LEE-HAHN, MARK SAMSEL, BRETT FAIRCHILD

MR. SPEAKER: I vote No on **Substitute for House Bill 2397**. Cuts were made to core functions of government, including K-12 education funding. This puts us at risk of going back to court. We must ensure we constitutionally fund education to avoid this. Medicaid Expansion was also not included, so we offered an amendment that would

expand Medicaid. This would not only have provided healthcare to over 160,000 Kansans, but it also would have provided Kansas significant budget relief. Rejecting Medicaid Expansion leaves around \$460 million on the table of federal aid. Therefore, I cannot in good faith support this bill. – TOM SAWYER, STEPHANIE CLAYTON, JO ELLA HOYE, CINDY NEIGHBOR, SUSAN RUIZ, STEPHANIE BYERS, MARI-LYNN POSKIN, LINDA FEATHERSTON, BRETT PARKER, LINDSAY VAUGHN, VIRGIL WEIGEL, JENNIFER DAY, ELIZABETH BISHOP, BRODERICK HENDERSON, JOHN ALCALA, GAIL FINNEY, SYDNEY CARLIN

MR. SPEAKER: AS the State of Kansas begins to emerge from an unprecedented pandemic, the importance of rebuilding our state's economy is more imperative than ever. In order to successfully produce the workforce of tomorrow, we must make significant investment in every level of our higher education system. I cannot, in good conscience, vote for a budget that cuts funding for our institutions of higher learning. I vote NO on **Sub HB 2397**. – BRANDON WOODARD

**SB 159**, AN ACT concerning certain claims against the state; making appropriations; authorizing certain transfers; imposing certain restrictions and limitations; directing or authorizing certain disbursements, procedures and acts incidental to the foregoing, was considered on final action.

On roll call, the vote was: Yeas 106; Nays 17; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Borjon, Burris, Byers, Carlin, Carlson, Carmichael, B. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Owens, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Winn, Woodard, Xu.

Nays: Alcala, Amyx, Blex, Burroughs, W. Carpenter, Curtis, Gartner, Howe, Kuether, Miller, Ousley, Parker, Rahjes, Ruiz, L., Ruiz, S., Weigel, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Croft, Howard.

The bill passed, as amended.

## REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Rural Development** recommends **SB 98** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 98," as follows:

"House Substitute for SENATE BILL NO. 98

By Committee on Financial Institutions and Rural Development

"AN ACT concerning financial institutions; enacting the technology-enabled

fiduciary financial institutions act; relating to requirements, fiduciary powers, duties, functions and limitations for such fiduciary financial institutions; pilot program; prescribing administrative powers and duties for the state banking board and the state bank commissioner; establishing the technology-enabled fiduciary financial institutions development and expansion fund; providing an income and privilege tax credit for technology-enabled fiduciary financial institutions making certain qualified charitable distributions; creating the joint committee on fiduciary financial institutions oversight."; and the substitute bill be passed.

(**H Sub for SB 98** was thereupon introduced and read by title.)

#### **MESSAGE FROM THE SENATE**

The Senate accedes to the request of the House for a conference on **HB 2007** and has appointed Senators Petersen, Claeys and Hawk as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2026** and has appointed Senators Warren, Wilborn and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2102** and has appointed Senators Kerschen, Straub and Francisco as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2137** and has appointed Senators Alley, Hilderbrand and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2166** and has appointed Senators Petersen, Claeys and Hawk as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2243** and has appointed Senators Longbine, Fagg and Pittman as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2252** and has appointed Senators Alley, Hilderbrand and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2254** and has appointed Senators Hilderbrand, Gossage and Pettey as conferees on the part of the Senate.

Announcing passage of **SB 290**.

Announcing passage of **HB 2134**, as amended, **HB 2165**, as amended, **HB 2167**, as amended, **HB 2203**, as amended, **HB 2218**, as amended.

Announcing passage of **HB 2238**, **HB 2295**.

Announcing adoption of **HCR 5015**.

#### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate bill was thereupon introduced and read by title:

**SB 290.**

Upon unanimous consent, the House referred back to the regular business, introduction of Bills and Concurrent Resolutions.

On emergency motion of Rep. Hawkins, **HCR 5019**, as follows, was introduced and adopted:

### **INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS**

The following concurrent resolution was introduced and read by title:

HOUSE CONCURRENT RESOLUTION No. **HCR 5019** –  
by Representatives Ryckman, Hawkins and Sawyer

**HCR 5019** – A CONCURRENT RESOLUTION relating to the adjournment of the senate and the house of representatives for a period of time during the 2021 regular session of the legislature.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the legislature shall adjourn at the close of business of the daily session convened on March 31, 2021, and shall reconvene on April 6, 2021, pursuant to adjournment of the daily session convened on March 31, 2021; and

*Be it further resolved:* That the chief clerk of the house of representatives and the secretary of the senate and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during periods of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

*Be it further resolved:* That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

*Be it further resolved:* That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the legislative coordinating council, the president of the senate or the speaker of the house of representatives, and members of a conference committee attending a meeting of the conference committee authorized by the president of the senate and the speaker of the house of representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation, subsistence allowances, mileage and other expenses in amounts prescribed under K.S.A. 75-3212, and amendments thereto.

### **REPORT ON ENGROSSED BILLS**

**HB 2022, HB 2363, HB 2380, H 2408, HB 2412** reported correctly engrossed March 29, 2021.

**HB 2178** reported correctly engrossed March 30, 2021.

On motion of Rep. Hawkins the House adjourned pro forma until 9:00 a.m. on Wednesday, March 31, 2021.

# Journal of the House

FIFTY-FIFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, March 31, 2021, 9:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Finch in the chair.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to committee as indicated:

Insurance and Pensions: **SB 290**.

## CHANGE OF REFERENCE

Speaker pro tem Finch announced the withdrawal of **SB 32, SB 51, SB 62, H Sub SB 91, SB 185** from Committee of the Whole and referral to committee on Appropriations.

## MESSAGES FROM THE GOVERNOR

**HB 2078, HB 2124** approved on March 30, 2021

## MESSAGES FROM THE SENATE

The Senate nonconcur in House amendments to **SB 60**, requests a conference and has appointed Senators Warren, Wilborn and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 78**, requests a conference and has appointed Senators Longbine, Longbine, Peck and Holscher as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 106**, requests a conference and has appointed Senators Warren, Wilborn and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 122**, requests a conference and has appointed Senators Warren, Wilborn and Haley as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 127**, requests a conference and has appointed Senators Petersen, Claeys and Hawk as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 273**, requests a conference and has appointed Senators Warren, Wilborn and Haley as conferees on the part of the Senate.

The Senate concurs in House amendments to **SB 50**.

The Senate concurs in House amendments to **SB 172**.

### REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 158** be amended by substituting a new bill to be designated as "House Substitute for SENATE BILL NO. 158," as follows:

"House Substitute for SENATE BILL NO. 158

By Committee on Federal and State Affairs

"AN ACT concerning health and healthcare; enacting the Kansas medical marijuana regulation act; relating to medical cannabis; licensure and regulation of the manufacture, transportation and sale of medical cannabis; crimes, punishment and criminal procedure; creating the crime of unlawful transport of medical marijuana; exceptions from the unlawful manufacture and possession of a controlled substance; prescribing powers, duties and functions of the secretary of health and environment, secretary of revenue, board of healing arts and board of pharmacy; rules and regulations; providing certain fines and penalties for violations; establishing the medical marijuana registration fund, medical marijuana cultivation regulation fund and the medical marijuana business entity regulation fund; amending K.S.A. 44-1009, 44-1015, 65-28b08, 79-5201 and 79-5210 and K.S.A. 2020 Supp. 21-5703, 21-5705, 21-5706, 21-5707, 21-5709, 21-5710, 23-3201, 38-2269, 44-501, 44-706 and 65-1120 and repealing the existing sections."; and the substitute bill be passed.

(**H Sub SB 158** was thereupon introduced and read by title.)

On motion of Rep. Hawkins, the House adjourned until 9:00 a.m., Tuesday, April 6, 2021.

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In accordance with House Rule 1507, the following bills were stricken from the Calendar for March 31, 2021: **SB 4, SB 56, H Sub SB 69, SB 120, H Sub SB 167, SB 204**.

# Journal of the House

FIFTY-SIXTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, April 6, 2021, 9:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 117 members present.

Rep. Howard was excused on verified illness.

Reps. Arnberger, Burris, Finney, Hawkins, Huebert, Ohaebosim and Thompson were excused on excused absence by the Speaker.

Present later: Rep. Arnberger, Burris, Huebert and Ohaebosim.

Excused later: Reps. Poetter, Samsel and E. Smith.

Prayer by Chaplain Brubaker:

Gracious and Loving God,  
thank You for the blessings that You give to us each day.  
Your Word teaches us that  
“in repentance and rest is *our* salvation,  
in quietness and trust in *our* strength.”  
As we go through this day,  
help us to trust You to provide  
the strength we need moment by moment.  
May we not waste energy wondering if  
we are adequate to manage this day’s responsibilities,  
but remind us that Your Spirit is more than sufficient  
to handle whatever this day may bring.  
This I pray in Your Name, Amen.  
(Isaiah 30:15 – NIV)

The Pledge of Allegiance was led by Rep. Jennings.

## MESSAGES FROM THE GOVERNOR

April 1, 2021

*Messages to the Kansas House of Representatives:*

Enclosed herewith are Executive Orders No. 21-09 – 21-21 for your information.

### EXECUTIVE ORDERS NO. 21-09 – 21-21

21-09 Extending professional and occupational licenses during state of disaster emergency

21-10 Temporarily allowing notaries and witnesses to act via audio-video communication technology during state of disaster emergency

- 21-11 Temporarily suspending certain rules relating to sale of alcoholic beverages
- 21-12 Licensure, Certification, and Registration for persons and Licensure of “Adult Care Homes” during state of disaster emergency
- 21-13 Temporarily prohibiting certain foreclosures and evictions
- 21-14 Establishing a face coverings protocol
- 21-15 Requiring COVID-19 testing in certain adult care homes
- 21-16 Provisions related to drivers' license and identification cards during the state of disaster emergency
- 21-17 Temporary relief from certain unemployment insurance requirements during state of disaster emergency
- 21-18 Temporary provisions for employer payment of income tax withholding for work performed in another state
- 21-19 Temporary relief from certain tuberculin testing requirements during state of disaster emergency
- 21-20 Extending time for Kansas rural water districts to hold annual meetings during the COVID-19 pandemic
- 21-21 Temporary authorization for additional vaccinators during state of disaster emergency

Laura Kelly  
Governor

**HB 2063** approved on April 2, 2021.

#### MESSAGES FROM THE SENATE

Announcing passage of **Sub SB 100, SB 265, SB 304**.

Announcing passage of **HB 2064**, as amended, **HB 2077**, as amended, **HB 2079**, as amended, **HB 2106**, as amended, **HB 2114**, as amended, **HB 2121**, as amended, **HB 2136**, as amended, **HB 2158**, as amended, **HB 2244**, as amended, **HB 2247**, as amended, **HB 2390**, as amended, **HB 2391**, as amended.

Announcing passage of **HB 2085, HB 2101, HB 2379**.

Announcing passage of **Sub HB 2196**, as amended by **S Sub for Sub HB 2196; HB 2201**, as amended by **S Sub HB 2201; HB 2208**, as amended by **S Sub HB 2208**.

The Senate concurs in House amendments to **SB 283**.

Announcing passage of **SB 181**.

The Senate concurs in House amendments to **SB 124**.

The Senate adopts the Conference Committee report on **HB 2104**.

The Senate announced the appointment of Senator Billinger to replace Senator Petersen as a conferee on **HB 2007**.

Announcing adoption of **HCR 5019**.

Announcing passage of **HB 2021**, as amended, **HB 2039**, as amended, **HB 2143**, as amended, **HB 2245**, as amended, **HB 2332**, as amended.

Announcing passage of **HB 2074**, as amended by **S Sub HB 2074; HB 2153**, as amended by **S Sub HB 2153; HB 2183**, as amended by **S Sub HB 2183**.

Announcing passage of **SB 199**.

### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 60**.

Speaker Ryckman thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 106**.

Speaker Ryckman thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **H Sub for Sub SB 273**.

Speaker Ryckman thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **H Sub SB 78**.

Speaker Ryckman thereupon appointed Reps. S. Johnson, Croft and Neighbor as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 122**.

Speaker Ryckman thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 127**.

Speaker Ryckman thereupon appointed Reps. Proehl, Delperdang and Helgerson as conferees on the part of the House.

### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bills were thereupon introduced and read by title:

**SB 100, SB 181, SB 199, SB 265, SB 304.**

### CONSENT CALENDAR

No objection was made to **SB 16** appearing on the Consent Calendar for the third day. The bill was advanced to Final Action on Bills and Concurrent Resolutions.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**SB 16**, AN ACT concerning the legislative division of post audit; removing the requirement to submit certain documents thereto; amending K.S.A. 22-4514a, 75-3728c, 76-721 and 79-3233b and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 117; Nays 0; Present but not voting: 0; Absent or not voting: 8.

Yeas: Alcala, Amyx, Anderson, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft,

Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Francis, French, Garber, Gartner, Haswood, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Amberger, Burris, Finney, Hawkins, Howard, Huebert, Ohaebosim, Thompson.

The bill passed.

### **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Croft, the House nonconcurrred in Senate amendments to **HB 2134** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. S. Johnson, Croft and Neighbor as conferees on the part of the House.

On motion of Rep. S. Johnson, the House nonconcurrred in Senate amendments to **HB 2218** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. S. Johnson, Croft and Neighbor as conferees on the part of the House.

### **CHANGE OF CONFEREES**

Speaker Ryckman announced the appointment of Reps. Waymaster, Hoffman, and Wolfe Moore to replace Reps. Proehl, Delperdang, and Helgerson as members of the conference committee on **HB 2007**.

### **CHANGE OF REFERENCE**

Speaker Ryckman announced the withdrawal of **SB 91** from Committee on Appropriations and re-referral to Committee of the Whole.

Speaker Ryckman announced the withdrawal of **SB 158** from Committee of the Whole and re-referral to Committee on Federal and State Affairs.

On motion of Rep. Mason, the House recessed until 2:00 p.m.

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### **AFTERNOON SESSION**

The House met pursuant to recess with Speaker Ryckman in the chair.

**MESSAGE FROM THE GOVERNOR**

**HB 2014, HB 2172, HB 2270** approved on April 5, 2021.

**MESSAGES FROM THE SENATE**

The Senate nonconcur in House amendments to **SB 38**, requests a conference and has appointed Senators Kerschen, Straub and Ware as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 142**, requests a conference and has appointed Senators Kerschen, Straub and Ware as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 143**, requests a conference and has appointed Senators Kerschen, Straub and Ware as conferees on the part of the Senate.

The Senate nonconcur in House amendments to **SB 160**, requests a conference and has appointed Senators Kerschen, Straub and Ware as conferees on the part of the Senate.

**CHANGE OF CONFEREES**

Speaker Ryckman announced the appointment of Reps. Williams, Hoffman, and Winn to replace Reps. Landwehr, Eplee, and Parker as members of the conference committee on **SB 175**.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 38**.

Speaker Ryckman thereupon appointed Reps. Rahjes, E. Smith and Carlin as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 55**.

Speaker Ryckman thereupon appointed Reps. Williams, Huebert and Stogsdill as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 142**.

Speaker Ryckman thereupon appointed Reps. Rahjes, E. Smith and Carlin as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 143**.

Speaker Ryckman thereupon appointed Reps. Rahjes, E. Smith and Carlin as conferees on the part of the House.

On motion of Rep. Mason, the House acceded to the request of the Senate for a conference on **SB 160**.

Speaker Ryckman thereupon appointed Reps. Rahjes, E. Smith and Carlin as conferees on the part of the House.

**MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. F. Patton, the House nonconcurrred in Senate amendments to **HB 2390** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. F. Patton, the House nonconcurrred in Senate amendments to **HB 2079** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Patton, Ralph and Carmichael as conferees on the part of the House.

On motion of Rep. Jennings, the House nonconcurrred in Senate amendments to **HB 2077** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Jennings, Owens and Highberger as conferees on the part of the House.

On motion of Rep. Jennings, the House nonconcurrred in Senate amendments to **HB 2121** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Jennings, Owens and Highberger as conferees on the part of the House.

On motion of Rep. Tarwater, the House nonconcurrred in Senate amendments to **HB 2391** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Tarwater, Long and Clayton as conferees on the part of the House.

On motion of Rep. Tarwater, the House nonconcurrred in Senate amendments to **HB 2196** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Tarwater, Long and Clayton as conferees on the part of the House.

On motion of Rep. Proehl, the House nonconcurrred in Senate amendments to **S Sub HB 2201** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Proehl, Delperdang and Helgerson as conferees on the part of the House.

On motion of Rep. Landwehr, the House nonconcurrred in Senate amendments to **S Sub HB 2208** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Landwehr, Eplee and Parker as conferees on the part of the House.

On motion of Rep. Huebert, the House nonconcurrred in Senate amendments to **HB 2039** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Huebert, Thomas and Stogsdill as conferees on the part of the House.

**MOTION TO CONCUR AND NONCONCUR**

On motion of Rep. Patton, the House concurred in Senate amendments to **HB 2071**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; increasing criminal penalties for stalking a minor; amending K.S.A. 2020 Supp. 21-5427 and repealing the existing section.

On roll call, the vote was: Yeas 119; Nays 0; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Stogsdill, Sutton, Tarwater, Thomas, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Hawkins, Howard, Poetter, Samsel, Smith, E., Thompson.

**CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2104** submits the following report:

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

On page 1, by striking all in lines 22 through 36;

On page 2, by striking all in lines 1 through 18; following line 37, by inserting:

"Sec. 2. K.S.A. 2020 Supp. 19-430 is hereby amended to read as follows: 19-430.

(a) On July 1, 1993, and on July 1 of each fourth year thereafter, the board of county commissioners or governing body of any unified government of each county shall by resolution appoint a county appraiser for such county who shall serve for a term of four years expiring on June 30 of the fourth year thereafter. No person shall be appointed or reappointed to or serve as county appraiser in any county under the provisions of this act unless such person shall have at least three years of mass appraisal experience and be qualified by the director of property valuation as an eligible Kansas appraiser under the provisions of this act. Whenever a vacancy shall occur in the office of county appraiser the board of county commissioners or governing body of any unified government shall appoint an eligible Kansas appraiser to fill such vacancy for the unexpired term. The person holding the office of county or district appraiser or performing the duties thereof on the effective date of this act shall continue to hold such

office and perform such duties until a county appraiser is appointed under the provisions of this act. No person shall be appointed to the office of county or district appraiser or to fill a vacancy therein unless such person is currently: (1) A certified general real property appraiser pursuant to article 41 of chapter 58 of the Kansas Statutes Annotated, and amendments thereto; or (2) a registered mass appraiser pursuant to rules and regulations adopted by the secretary of revenue; ~~or (3) holding a valid residential evaluation specialist or certified assessment evaluation designation from the international association of assessing officers.~~ Notwithstanding the foregoing provision, the board of county commissioners or governing body of any unified government may appoint an interim county appraiser, subject to the approval of the director of property valuation, for a period not to exceed six months to fill a vacancy in the office of county appraiser pending the appointment of an eligible county appraiser under the provisions of this act.

(b) The secretary of revenue shall adopt rules and regulations ~~prior to October 1, 1997,~~ necessary to establish qualifications for the designation of a registered mass appraiser.

(c) On and after July 1, 2022, all appraisal courses necessary to qualify for the designation of a registered mass appraiser and all continuing education appraisal courses necessary to retain such designation shall be courses approved by the Kansas real estate appraisal board pursuant to K.S.A. 58-4105, and amendments thereto.;

On page 3, in line 12, by striking "recognized"; also in line 12, after "courses" by inserting "approved by the Kansas real estate appraisal board pursuant to K.S.A. 58-4105, and amendments thereto.;"

On page 8, in line 2, after the period by inserting "Such courses shall be courses approved by the Kansas real estate appraisal board pursuant to K.S.A. 58-4105, and amendments thereto.;"

On page 22, in line 5, by striking "79-201x,;" in line 7, after "Supp." by inserting "19-430 and"; also in line 7, by striking all after "19-432"; in line 8, by striking "5142";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "to"; by striking all in lines 2 and 3; in line 12, after the semicolon by inserting "appraisal course requirements required to be approved by the real estate appraisal board,;" in line 15, after "office" by inserting ", qualifications and appraisal courses for registered mass appraiser designation"; in line 16, by striking "79-201x,;" in line 18, after "Supp." by inserting "19-430 and"; also in line 18, by striking "and 72-5142";

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

CARYN TYSON  
LARRY ALLEY  
TOM HOLLAND

*Conferees on part of Senate*

ADAM SMITH  
LES MASON  
JIM GARTNER

*Conferees on part of House*

On motion of Rep. A. Smith to adopt the conference committee report on **S Sub HB 2104**, Rep. Miller offered a substitute motion to not adopt the conference committee

report and that a new conference committee be appointed.

The substitute motion of Rep. Miller did not prevail and the question reverted back to the original motion of Rep. A. Smith to adopt the conference committee report.

On motion of Rep. Smith, A., the conference committee report on **HB 2104** was adopted.

On roll call, the vote was: Yeas 77; Nays 42; Present but not voting: 0; Absent or not voting: 6.

Yeas: Anderson, Arnberger, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Sutton, Tarwater, Thomas, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcala, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clark, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Minnix, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Hawkins, Howard, Poetter, Samsel, Smith, E., Thompson.

#### **REPORT ON ENGROSSED BILLS**

**Sub HB 2119, Sub HB 2397** reported correctly engrossed April 1, 2021.

#### **REPORT ON ENROLLED BILLS**

**HB 2022, HB 2050, HB 2070, S Sub HB 2072, HB 2112, HB 2126, HB 2145, HB 2155, HB 2162, HB 2214, HB 2298, HB 2367** reported correctly enrolled, properly signed and presented to the Governor on April 2, 2021.

On motion of Rep. Mason, the House adjourned until 10:00 a.m., Wednesday, April 7, 2021.

# Journal of the House

## FIFTY-SEVENTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, April 7, 2021, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 122 members present.

Rep. Howard was excused on verified illness.

Reps. Awerkamp and Baker were excused on excused absence by the Speaker.

Present later: Rep. Awerkamp.

Prayer by Chaplain Brubaker:

Almighty God,  
thank You for another day of life  
and all that it offers us for this day.  
May we not waste this gift You have given us.  
Thank You for the dreams and desires  
that You have given each one  
and for a plan to bring these dreams and hopes to fruition.  
Even though we may not see a way,  
we trust that You are making a way.  
And help us to remember that it is not by our might,  
nor by our power,  
but by Your Spirit that all things come to pass  
and all Your plans are accomplished  
in and through us as You will.  
In Your Son's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Clayton.

### REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **SB 181**.

Insurance and Pensions: **SB 199**, **SB 265**.

Judiciary: **SB 304**.

Transportation: **SB 100**.

**MESSAGE FROM THE SENATE**

The Senate announced the appointment of Senators Baumgardner, Erickson, and Sykes to replace Senators Hilderbrand, Gossage, and Pettey as conferees on **SB 175**.

The Senate adopts the Conference Committee report to agree to disagree on **HB 2166**, and has appointed Senators Petersen, Claeys and Hawk as Second conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2218** and has appointed Senators Billinger, Claeys and Hawk as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2134** and has appointed Senators Longbine, Peck and Holscher as conferees on the part of the Senate.

The Senate nonconcurrs in House amendments to **SB 159**, requests a conference and has appointed Senators Billinger, Claeys and Hawk as conferees on the part of the Senate.

The Senate concurs in House amendments to **SB 89**.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 159**.

Speaker Ryckman thereupon appointed Reps. Waymaster, Hoffman and Wolfe Moore as conferees on the part of the House.

**MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. A. Smith, the House nonconcurred in Senate amendments to **HB 2106** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. A. Smith, Mason and Gartner as conferees on the part of the House.

On motion of Rep. A. Smith, the House nonconcurred in Senate amendments to **HB 2143** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. A. Smith, Mason and Gartner as conferees on the part of the House.

On motion of Rep. B. Carpenter, the House nonconcurred in Senate amendments to **S Sub HB 2183** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. B. Carpenter, Bergquist and Miller as conferees on the part of the House.

On motion of Rep. B. Carpenter, the House nonconcurred in Senate amendments to **HB 2332** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. B. Carpenter, Bergquist and Miller as conferees on the part of the House.

On motion of Rep. Waymaster, the House nonconcurred in Senate amendments to **HB 2021** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Waymaster, Hoffman and Wolfe Moore as conferees on the part of the House.

On motion of Rep. Kelly, the House nonconcurred in Senate amendments to **S Sub HB 2074** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Kelly, Hoheisel and Xu as conferees on the part of the House.

On motion of Rep. Proehl, the House concurred in Senate amendments to **HB 2247**, AN ACT concerning roads and highways; designating a portion of K-67 highway as the COII Trenton J Brinkman memorial highway; designating bridges on U.S. highway 54 as the Jack Taylor memorial bridge and the Max Zimmerman memorial bridge; designating a bridge on United States highway 77 as the PFC Loren H Larson memorial bridge; designating a bridge on United States highway 166 as the SGT Tyler A Juden memorial bridge; designating a portion of United States highway 69 as the Senator Dennis Wilson memorial highway; designating a portion of K-7 as the Senator Bud Burke memorial highway; designating a portion of United States highway 77 as the CPL Allen E Oatney and SP4 Gene A Myers memorial highway; amending K.S.A. 68-1022 and repealing the existing section.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delpendang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Awerkamp, Baker, Howard.

On motion of Rep. Proehl, the House concurred in Senate amendments to **HB 2165**, AN ACT concerning motor vehicles; relating to antique vehicles; providing that all vehicles that are more than 35 years old qualify as antique vehicles for registration purposes; amending K.S.A. 2020 Supp. 8-166 and repealing the existing section.

On roll call, the vote was: Yeas 117; Nays 5; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delpendang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, F. Patton, Penn, Poetter, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber,

Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Carmichael, Featherston, Highberger, Parker, Poskin.

Present but not voting: None.

Absent or not voting: Awerkamp, Baker, Howard.

On motion of Rep. Proehl, the House concurred in Senate amendments to **HB 2167**, AN ACT concerning motor vehicles; relating to license plates; permitting concrete mixer trucks and requiring dump trucks to display license plates on the front of vehicles; amending K.S.A. 2020 Supp. 8-133 and repealing the existing section.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgeson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Awerkamp, Baker, Howard.

On motion of Rep. Proehl, the House concurred in Senate amendments to **HB 2245**, AN ACT concerning transportation; relating to the division of vehicles; authorizing the division of vehicles to collect emergency contact information; allowing individuals to list emergency contact information on applications for drivers' licenses, instruction permits and non-driver's identification cards; permitting law enforcement agencies to use emergency contact information in emergency situations.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgeson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F.

Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Awerkamp, Baker, Howard.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2166** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

MIKE PETERSEN

J.R. CLAEYS

*Conferees on part of Senate*

RICHARD PROEHL

LEO DELPERDANG

*Conferees on part of House*

On motion of Rep. Proehl the conference committee report on **HB 2166** to agree to disagree, was adopted.

Speaker Ryckman thereupon appointed Reps. Proehl, Delperdang and Helgerson as second conferees on the part of the House.

On motion of Rep. Hawkins, the House recessed until 1:30 p.m.

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### AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

### MESSAGES FROM THE GOVERNOR

**HB 2008** approved on April 7, 2021.

### MESSAGES FROM THE SENATE

The Senate announced the appointment of Senators McGinn and Kerschen to replace Senators Billinger and Claeys as conferees on **HB 2218**.

The Senate accedes to the request of the House for a conference on **HB 2391** and has appointed Senators Bowers, McGinn and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2039** and has appointed Senators Baumgardner, Erickson and Sykes as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2077** and has appointed Senators Warren, Wilborn and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2079** and has appointed Senators Billinger, Claeys and Hawk as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2196** and has appointed Senators Olson, Steffen and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2201** and has appointed Senators Petersen, Claeys and Hawk as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2121** and has appointed Senators Warren, Wilborn and Haley as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2208** and has appointed Senators Hilderbrand, Gossage and Pettey as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2390** and has appointed Senators Bowers, McGinn and Faust-Goudeau as conferees on the part of the Senate.

On motion of Rep. Hawkins, the House recessed until 3:30 p.m.

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#### LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 175** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

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KRISTEY WILLIAMS

KYLE HOFFMAN  
*Conferees on part of House*

MOLLY BAUMGARDNER  
RENEE ERICKSON  
*Conferees on part of Senate*

On motion of Rep. Williams the conference committee report on **SB 175** to agree to disagree, was adopted.

Speaker Ryckman thereupon appointed Reps. Williams, Hoffman and Winn as second conferees on the part of the House.

**MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Concannon, the House nonconcurred in Senate amendments to **HB 2114** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Concannon, Esau and Ousley as conferees on the part of the House.

On motion of Rep. Rahjes, the House nonconcurred in Senate amendments to **HB 2244** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Rahjes, E. Smith and Carlin as conferees on the part of the House.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 103** submits the following report:

The House recedes from all of its amendments to the bill.

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

FRED PATTON

BRADLEY RALPH

JOHN CARMICHAEL

*Conferees on part of House*

KELLIE WARREN

RICHARD WILBORN

DAVID HALEY

*Conferees on part of Senate*

On motion of Rep. Patton, the conference committee report on **SB 103** was adopted.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Baker, Howard.

### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 106** submits the following report:

The House recesses from all of its amendments to the bill.

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

FRED PATTON

BRADLEY RALPH

JOHN CARMICHAEL

*Conferees on part of House*

KELLIE WARREN

RICHARD WILBORN

DAVID HALEY

*Conferees on part of Senate*

On motion of Rep. Patton, the conference committee report on **SB 106** was adopted.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Baker, Howard.

### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 107** submits the following report:

The House recesses from all of its amendments to the bill.

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

FRED PATTON

BRADLEY RALPH

JOHN CARMICHAEL

*Conferees on part of House*

KELLIE WARREN

RICHARD WILBORN

DAVID HALEY

*Conferees on part of Senate*

On motion of Rep. Patton, the conference committee report on **SB 107** was adopted.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Baker, Howard.

## CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 122** submits the following report:

The House recedes from all of its amendments to the bill.

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

FRED PATTON

BRADLEY RALPH

JOHN CARMICHAEL

*Conferees on part of House*

KELLIE WARREN

RICHARD WILBORN

DAVID HALEY

*Conferees on part of Senate*

On motion of Rep. Patton, the conference committee report on **SB 122** was adopted.

On roll call, the vote was: Yeas 115; Nays 8; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Amyx, Anderson, Arnberger, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Averkamp, Burris, Fairchild, Garber, Jacobs, Lee-Hahn, Poetter, Rhiley.

Present but not voting: None.

Absent or not voting: Baker, Howard.

#### **CHANGE OF CONFEREES**

Speaker Ryckman announced the appointment of Reps. Kelly, Hoheisel, and Xu to replace Reps. S. Johnson, Croft, and Neighbor as members of the conference committee on **SB 86**.

#### **REPORT ON ENROLLED BILLS**

**HB 2178, HB 2238, HB 2295** reported correctly enrolled, properly signed and presented to the Governor on April 6, 2021.

On motion of Rep. Hawkins, the House adjourned until 10:00 a.m., Thursday, April 8, 2021.

# Journal of the House

## FIFTY-EIGHTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, April 8, 2021, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 123 members present.

Rep. Howard was excused on verified illness.

Rep. Sutton was excused on excused absence by the Speaker.

Excused later: Reps. Barker, Lynn and Victors.

Present later: Reps. Barker and Sutton.

Prayer by Chaplain Brubaker:

Loving and Caring God,  
thank You for this day.  
As our leaders continue to travel through their work,  
be the wind in their sails.  
Help them to allow You to steer and guide them in the right direction.  
Give them strength to keep going.  
Watch over them as they navigate stormy issues.  
Be their harbor when they need rest.  
Be their encouragement when they begin to lose hope.  
Be the light when things seem the darkest.  
Be the hand that reaches out to them  
when they are overwhelmed and feel they are drowning.  
You are the lighthouse that provides them confidence and safety.  
For this, I thank You and pray in Your Name, Amen.

The Pledge of Allegiance was led by Rep. Borjon.

### PERSONAL PRIVILEGE

There being no objection, the following remarks of Rep. Ballard are spread upon the Journal:

March is designated Women's History Month, but we adjourned early for Easter before we could present our planned program. The 2021 theme is a continuation of 2020's "Valiant Women of the Vote: Refusing to be Silenced." This theme recognizes the battle for over 70 years for Women's Right to Vote, which was gained with the passage of the 19<sup>th</sup> Amendment in 1920. We did not celebrate the 100<sup>th</sup> Anniversary in 2020 due to our early departure because of the pandemic.

I wish to thank this diverse group of legislators, standing with me, for being a part of this program. This morning it is our pleasure to honor 10 outstanding women.

Representative Gail Finney:

Madam C.J. Walker (1867-1919), born Sarah Breedlove, was an African American entrepreneur, philanthropist, and political activist. She is recorded as the first female self-made millionaire in America in the Guinness Book of World Records because of her haircare products empire. She was passionate about teaching women not only how to sell her products, but how to budget, build their own businesses and achieve financial independence. During this time, women were limited in the financial services sectors and did not hold the right to vote. Madam C.J. Walker died just 4 days after the 19<sup>th</sup> Amendment passed the House. It would be decades longer before African Americans gained the right to vote. Upon retirement, she passed her company to her daughter. Madam C.J. Walker was inducted into the National Women's Hall of Fame in 1993 and was the subject of a biographical Netflix series in 2020.

Representative Christina Haswood:

One of the first female Native attorneys, Eliza Burton "Lyda" Conley (1869-1946) graduated from the Kansas City School of Law in 1902 and became the first woman admitted to the Kansas bar. The sale of the Wyandot Nation's sacred Kansas burial ground to the US federal government in 1906 upset Conley, who was a member of the tribe. She and her sisters launched a campaign to protect and preserve the Huron Cemetery in Kansas City, where many of their own ancestors were laid to rest. They took up camp just outside the cemetery, standing guard with muskets drawn and "Trespassers, Beware!" signs to prevent the sale. Conley stood her ground for years. And in 1909, her fight to protect her tribe's sacred land went all the way to the US Supreme Court. That year she put her legal skills to work and became only the third woman, the second female attorney, and first Native American woman to argue a case in front of the Supreme Court. Many believe her case, in which she argued that Native American burial grounds were entitled to federal protection, was the first of its kind, too. Despite the case's dismissal, Conley prevailed in 1916 when the cemetery was designated a federal park. She was buried in the park upon her death in 1946. Today, the renamed, Wyandot National Burial Ground enjoys National Historic Landmark status.

Representative Megan Lynn:

Rosalind Elsie Franklin (1920-1958) was a British chemist and X-ray crystallographer. Her work was central to the understanding of the molecular structure of DNA, viruses, coal, and graphite. She traveled the world for scientific collaboration. Photo 51 is an X-ray technique that does not require the sample to be in crystal form and led to the discovery of the DNA double-helix. Did others steal Rosalind Franklin's data? The answer is yes, YES they did. They used her unpublished data without either her permission or her knowledge. Why didn't Rosalind Franklin get a Nobel Prize for her work? She did not share the 1962 Nobel Prize because she died of ovarian cancer four years earlier and the Nobel Committee does not consider posthumous candidacies.

Representative Annie Kuether:

Raye Jean Montague (1935-2018) was born and educated in Little Rock. As an African American, educational opportunity was restricted, and she chose to be a woman in the male dominated engineering field. She was forced to attend what is now University of

Arkansas-Pine Bluff because the engineering program at the University of Arkansas did not admit African American students. Despite these challenges, she became an American Naval engineer who broke barriers in the US Navy. She was employed as a typist and learned CAD at night. She jumped in to run the UNIVAC computer when “the guys” were sick. She is credited with creating the first computer-generated rough draft of a US Naval ship. She was the first female program manager of ships in the US Navy. She would later work on such naval programs as the Seawolf-class submarines and Nimitz class aircraft carrier systems.

Representative Kristey Williams:

Grace Murray Hopper (1906-1992), a legacy of innovation and service. Grace Brewster Murray Hopper was a computer pioneer and naval officer. In 1985, she became the first female Rear Admiral in the US Navy. She was probably the first mathematician to have a warship named after her. Hopper believed that computers would someday be widely used and helped to make them more user friendly. Best known for her trailblazing contributions to development of computer languages. She was known as irreverent, sharp-tongued, and brilliant. She enjoyed long and influential careers in both the US Navy and the private sector. The 2014 movie “Born with Curiosity” documents her life and accomplishments. Today she rests in Arlington National Cemetery.

Representative Susan Ruiz:

Dolores Huerta (1930-), is a civil rights icon who showed farmworkers ‘Si Se Puede’ (Yes We Can.) Huerta was 25 when she became the political director of the Community Service Organization and met Cesar Chavez. In 1962, she co-founded what became the United Farmworkers Association, organizing farmworkers who toiled for wages as low as 70 cents per hour, in brutal conditions. She has lived her life as a political activist, fighting for better working conditions for farmworkers and the rights of the downtrodden. She was on the platform in California, shortly before Robert Kennedy was shot, but never lost faith in the power of political organizing to effect change. In 2012 she was awarded the Presidential Medal of Freedom. At 89, Huerta remains outspoken and indefatigable. Through her foundation, she continues to work with agricultural communities, organizing people to run for office, and advocating on issues of health, education, and economic development. You may have met her when she visited Topeka in 2020.

Representative Brenda Landwehr:

Lori Robinson (1959-), US Air Force General is the highest-ranking woman in United States’ military history. Robinson’s family is steeped in military tradition. Her father was an Air Force fighter pilot during the Vietnam War and retired as a Colonel. Lori Robinson joined the Reserve Officers’ Training Corps (ROTC) program while at the University of New Hampshire. In 1981, she was commissioned as a Second Lieutenant and in 1986 served as the first female instructor at the USAF Fighter Weapons School at Nellis Air Force Base. Robinson served as the USAF liaison to the US House of Representatives. In 2008, she was promoted to Brigadier General. Robinson rose quickly through the general ranks and was pinned with her fourth star when she took command of the Pacific Air Forces in 2014. In 2016, Robinson became the highest-ranking woman in United State military history. While she was just the second woman

in USAF history to hold the rank of General, she was the first air battle manager to do so. General Robinson retired in May 2018.

Representative Lindsay Vaughn:

The student body of the US Naval Academy, founded 175 years ago, had never been led by a black woman until 2021. The first to assume the top role leading fellow students at the US Naval Academy is Midshipman 1<sup>st</sup> Class Sydney Barber, who is currently serving this semester. Brigade Commander is the highest leadership position within the student body. The semester-long position is selected through an application and interview process by senior leadership and the Commandant's staff. Barber, of Lake Forest, Illinois, is a mechanical engineering major and aspires to commission as a Marine Corps ground officer. Barber is the 16<sup>th</sup> woman selected as Brigade Commander in the 44 years women have been attending the academy.

Representative Susan Concannon:

The Fab 5 – An all-women board now presides over LA County's 10 million plus residents. Asked when there would be enough women on the US Supreme Court, the late Justice Ruth Bader Ginsburg famously replies: "When there are nine." It seems voters of Los Angeles agree. With the election of Holly J. Mitchell in LA's 2<sup>nd</sup> District in November, the Los Angeles County Board of Supervisors- the largest local government in the nation-has made history with the first all-women board in its more than 150-year history. The five supervisors (known as "county commissioners" elsewhere) are some of the most powerful elected local officials in the nation. The board's members were once nicknamed the Five Little Kings, though the current board has garnered a different moniker: The Fab Five. Seven years ago, only one of the five supervisors was a woman. Now, Supervisors Kathryn Barger (R), Janice Hahn (D), Sheila Kuehl (D), Holly Mitchell (D), and Hilda L. Solis (D) control the board's \$38 billion annual budget, and if it were a nation it would hold the 19<sup>th</sup> largest economy in the world.

Representative Barbara Ballard:

When Miami CEO Derek Jeter first phoned to talk about her dream job, Kim Ng wondered how to say no. Jeter had known Ng for 22 years, but he could not truly understand what it was like to be her. The lines on her resume read seven years starting out with the White Sox, one year as director of player records and waivers for the American League, 13 years as assistant general manager for the Yankees and Dodgers, and 10 year as MLB's senior vice president of base president of baseball operations – do not tell her whole story. Everywhere she went, nobody looked like her. Ng trained herself to be a general manager, even as she wondered whether she would ever get the chance. After years of being passed over, in November 2020 Ng became the first woman, and the first of East Asian decent to be named General Manager of a North American professional men's team. Landing the job with the Miami Marlins was a breakthrough, but Kim Ng knows that to keep it – and help others like her to follow – she will have to win. This past weekend she got her first victory...watching her team beat the Tampa Bay Rays, for the first time in three years, 12-7 on Saturday.

As we celebrate March as Women's History Month, it is important to recognize these outstanding women. They helped cultural and scientific advancements, built business empires and control governments. All while often working without equal pay, equal treatment, and for too long without equal protection under the law. Still, they broke barriers, sometimes having to work harder and longer to get where they wanted to be, but they got there. We must remember these biographies not as history, but as encouragement for the next generation of women leaders!

#### MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2021** and has appointed Senators Billinger, Claeys and Hawk as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2074** and has appointed Senators Longbine, Fagg and Pittman as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2106** and has appointed Senators Tyson, Alley and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2143** and has appointed Senators Tyson, Alley and Holland as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2183** and has appointed Senators Alley, Hilderbrand and Faust-Goudeau as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2332** and has appointed Senators Alley, Hilderbrand and Faust-Goudeau as conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **SB 175**, and has appointed Senators Baumgardner, Erickson and Sykes as Second conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2114** and has appointed Senators Hilderbrand, Gossage and Pettet as conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2244** and has appointed Senators Kerschen, Straub and Ware as conferees on the part of the Senate.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 36** 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 10, following line 37, by inserting:

"Sec. 3. K.S.A. 8-1101 is hereby amended to read as follows: 8-1101. As used in this act:

(a) "Public agency" means and includes the department of transportation, the Kansas turnpike authority, a county, city and township.

(b) "Motor vehicle" means every vehicle; or tractor trailer combination, ~~which that~~ is self-propelled by which any person or property is or may be transported or drawn

upon a highway except vehicles used exclusively upon stationary rails or tracks.

(c) "Highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for the purposes of vehicular travel.

(d) "Law enforcement officer" means and includes the Kansas highway patrol, police, ~~sheriff, and sheriffs~~ who are vested with the power and authority of peace, police, and law enforcement, or those authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

(e) "Person" means the same as defined in K.S.A. 8-1447, and amendments thereto.

Sec. 4. K.S.A. 2020 Supp. 8-1103 is hereby amended to read as follows: 8-1103. (a) (1) Whenever any person providing wrecker or towing service, as defined by law K.S.A. 66-1329, and amendments thereto, while lawfully in possession of a vehicle, at the direction of a law enforcement officer or the owner or as provided by a city ordinance or county resolution, renders any service to the owner thereof by the recovery, transportation, protection, storage or safekeeping thereof, a first and prior lien on the vehicle is hereby created in favor of such person rendering such service and the lien shall amount to the full amount and value of the service rendered. The lien may be foreclosed in the manner provided in this act.

(2) If the name of the owner of the vehicle is known to the person in possession of such vehicle, then within 15 days, notice shall be given to the owner that the vehicle is being held subject to satisfaction of the lien. Any vehicle remaining in the possession of a person providing wrecker or towing service for a period of 30 days after such wrecker or towing service was provided may be sold to pay the reasonable or agreed charges for such recovery, transportation, protection, storage or safekeeping of such vehicle and personal property therein, the costs of such sale, the costs of notice to the owner of the vehicle and publication after giving the notices required by this act, unless a court order has been issued to hold such vehicle for the purpose of a criminal investigation or for use as evidence at a trial.

(3) If a court orders any vehicle to be held for the purpose of a criminal investigation or for use as evidence at a trial, then such order shall be in writing, and the court shall assess as costs the reasonable or agreed charges for the protection, storage or safekeeping accrued while the vehicle was held pursuant to such written order.

(4) Any personal property within the vehicle need not be released to the owner thereof until the reasonable or agreed charges for such recovery, transportation or safekeeping have been paid, or satisfactory arrangements for payment have been made, except as provided under subsection (c) or for personal medical supplies which shall be released to the owner thereof upon request. The person in possession of such vehicle and personal property shall be responsible only for the reasonable care of such property. Any personal property within the vehicle not returned to the owner shall be sold at the auction authorized by this act.

(b) At the time of providing wrecker or towing service, any person providing such wrecker or towing service shall give written notice to the driver, if available, of the vehicle being towed that a fee will be charged for storage of such vehicle. Failure to give such written notice shall invalidate any lien established for such storage fee.

(c) A city ordinance or county resolution authorizing the towing of vehicles from private property shall specify in such ordinance or resolution:

(1) The maximum rate such wrecker or towing service may charge for such

wrecker or towing service and storage fees;

(2) that an owner of a vehicle towed shall have access to personal property in such vehicle for 48 hours after such vehicle has been towed and such personal property shall be released to the owner; and

(3) that the wrecker or towing service shall report the location of such vehicle to local law enforcement within two hours of such tow.

(d) A person providing towing services shall not tow a vehicle to a location outside of Kansas without the consent of either:

(1) The driver or owner of the motor vehicle;

(2) a motor club of which the driver or owner of the motor vehicle is a member; or

(3) the insurance company processing a claim with respect to the vehicle or an agent of such insurance company.

Sec. 5. K.S.A. 2020 Supp. 8-1104 is hereby amended to read as follows: 8-1104. (a) Before any such vehicle and personal property is sold, the person intending to sell such vehicle shall request verification from the division of vehicles of the last registered owner and any lienholders, if any. Such verification request shall be submitted to the division of vehicles not more than 30 days after such person took possession of the vehicle. Every person intending to sell any vehicle pursuant to this section that cannot be verified by the division of vehicles shall obtain an interstate search of registered owners and lienholders unless:

(1) The vehicle is 15 years of age or older; or

(2) the vehicle is determined by the division of vehicles to be a nonrepairable vehicle pursuant to K.S.A. 8-135c. and amendments thereto.

(b) Notice of sale, as provided in this act, shall be mailed by certified mail to any such registered owner and any such lienholders within 10 days after receipt of verification of the last owner and any lienholders, if any. The person intending to sell such vehicle and personal property pursuant to this act shall cause a notice of the time and place of sale, containing a description of the vehicle and personal property, to be published in a newspaper published in the county or city where such sale is advertised to take place, and if there is no newspaper published in such county, then the notice shall be published in some newspaper of general circulation in such county. Notices given under this section shall state that if the amount due, together with storage, publication, notice and sale costs, is not paid within 15 days from the date of mailing, the vehicle and personal property will be sold at public auction. Notice of an auction shall be published at least seven days prior to the scheduled auction.";

Also on page 10, in line 38, before "K.S.A" by inserting "K.S.A. 8-1101 and"; also in line 38, by striking "and" and inserting a comma; also in line 38, after "8-198" by inserting ", 8-1103 and 8-1104";

And by renumbering sections accordingly;

On page 1, in the title, in line 7, after the second semicolon by inserting "relating to abandoned and disabled vehicles; prohibiting the towing of vehicles outside the state of Kansas without prior consent; requiring an interstate search of registered owners and lienholders prior to sale of nonrepairable vehicles and vehicles less than 15 years old and publication in the newspaper seven days prior to sale of vehicles and property at auction;"; in line 8, after "amending" by inserting "K.S.A. 8-1101 and"; also in line 8, by striking the first "and" and inserting a comma; also in line 8, after "8-198" by inserting ", 8-1103 and 8-1104";

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

RICHARD PROEHL  
LEO DELPERDANG  
HENRY HELGERSON

*Conferees on part of House*

MIKE PETERSEN  
J. R. CLAEYS  
TOM HAWK

*Conferees on part of Senate*

On motion of Rep. Proehl, the conference committee report on **SB 36** was adopted.

On roll call, the vote was: Yeas 118; Nays 4; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard.

Nays: Fairchild, Garber, Lee-Hahn, Rhiley.

Present but not voting: None.

Absent or not voting: Howard, Sutton, Xu.

## CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 67** 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 7 through 36;

By striking all on pages 2 through 5;

On page 6, by striking all in lines 1 through 15 and inserting:

"New Section 1. As used in sections 1 through 4, and amendments thereto:

(a) "Funeral procession" means two or more vehicles accompanying the body of a deceased person, or traveling to the cemetery, church, chapel or other location where the funeral service is to be held, in the daylight hours, including a funeral lead vehicle or a funeral escort.

(b) "Funeral lead vehicle" means any authorized law enforcement or nonlaw enforcement motor vehicle properly equipped pursuant to K.S.A. 8-1723, and amendments thereto, or a funeral escort vehicle being used to lead and facilitate the movement of a funeral procession. A funeral hearse may serve as a funeral lead vehicle.

(c) "Funeral escort" means a person or entity that provides escort services for funeral processions, including law enforcement personnel and agencies and groups designated to escort military funeral processions.

New Sec. 2. (a) Notwithstanding any provision of state law, city ordinance or county resolution relating to traffic control devices or right-of-way provisions, pedestrians and operators of all vehicles, except as provided in subsection (b), funeral escorts may reasonably direct vehicle and pedestrian traffic to allow funeral processions to pass through intersections and disregard traffic control devices. When the funeral lead vehicle is directed by a funeral escort to lawfully enter an intersection, the remaining vehicles in the funeral procession may follow such funeral lead vehicle through the intersection regardless of any traffic control devices or right-of-way provisions prescribed by state law, city ordinance or county resolution.

(b) Funeral processions shall have the right-of-way at intersections regardless of traffic control devices, subject to the following conditions and exceptions:

(1) Operators of vehicles in a funeral procession shall yield the right-of-way to an approaching authorized emergency vehicle, as defined in K.S.A. 8-1404, and amendments thereto, using an audible signal meeting the requirements of K.S.A. 8-1738, and amendments thereto, or a visual signal meeting the requirements of K.S.A. 8-1720, and amendments thereto;

(2) operators of vehicles in a funeral procession shall yield the right-of-way when directed by a police officer;

(3) operators of vehicles in a funeral procession shall exercise due care when participating in a funeral procession and avoid colliding with any other vehicle or pedestrian in accordance with K.S.A. 8-1535, and amendments thereto; and

(4) an operator of a vehicle in a funeral procession shall not have the right-of-way at an intersection, if the vehicle is more than 300 feet behind the immediately preceding vehicle in the funeral procession.

New Sec. 3. (a) All vehicles comprising a funeral procession shall follow the preceding vehicle in the funeral procession as closely as is practical and safe.

(b) In accordance with K.S.A. 8-1523, and amendments thereto, any state law, city ordinance or county resolution stating that motor vehicles shall be operated to allow sufficient space, enabling any other vehicle to enter and occupy such space without danger, shall not be applicable to funeral processions.

(c) Each vehicle that is a part of a funeral procession shall have such vehicle's headlights, either high beam or low beam, and tail lights lighted and may also use flashing hazard lights if the vehicle is so equipped.

New Sec. 4. Nothing in sections 1 through 3, and amendments thereto, shall be construed to prohibit any city or county from requiring:

(a) A law enforcement or nonlaw enforcement funeral lead vehicle or funeral escort for a funeral procession. A city or county and may require prior notice of a planned funeral procession be given to the city police department or the county sheriff; or

(b) compliance with any other city ordinance or county resolution not in conflict with the provisions of sections 1 through 3, and amendments thereto.

New Sec. 5. (a) The driver of a vehicle shall not overtake and pass another vehicle when approaching within 100 feet of a stationary authorized utility or telecommunications vehicle.

(b) The driver of a vehicle shall yield the right-of-way to any authorized utility or telecommunications vehicle or pedestrian actually engaged in work on the highway whenever such vehicle displays flashing lights meeting the requirements of K.S.A. 8-1731, and amendments thereto.

(c) The driver of a motor vehicle, upon approaching a stationary authorized utility or telecommunications vehicle that is obviously and actually engaged in work upon a highway, when such authorized utility or telecommunications vehicle is displaying flashing lights meeting the requirements of K.S.A. 8-1731, and amendments thereto, shall do either of the following:

(1) If the driver of the motor vehicle is traveling on a highway that consists of at least two lanes that carry traffic in the same direction of travel as that of the driver's motor vehicle, the driver shall proceed with due caution and, if possible and with due regard to the road and weather and traffic conditions, shall change lanes into a lane that is not adjacent to that of the stationary authorized public utility or telecommunications vehicle; or

(2) if the driver is not traveling on a highway of a type described in paragraph (1), or if the driver is traveling on a highway of that type described in paragraph (1) but it is not possible to change lanes or if to do so would be unsafe, the driver shall proceed with due caution, reduce the speed of the motor vehicle and maintain a safe speed for the road and weather and traffic conditions.

(d) This section shall not operate to relieve the driver of an authorized utility or telecommunications vehicle from the duty to drive with due regard for the safety of all persons using the highway.

(e) As used in this section, "authorized utility or telecommunications vehicle" means:

(1) A motor vehicle operated by an authorized person as defined in K.S.A. 66-1710, and amendments thereto, for an electric or natural gas public utility as defined in K.S.A. 66-104, and amendments thereto, or a municipality-owned utility, when such motor vehicle is utilized for repairs that are needed on electric utility or natural gas equipment to restore necessary services or ensure public safety and is making use of visual signals meeting the requirements of K.S.A. 8-1731, and amendments thereto; and

(2) a motor vehicle operated by a provider, as defined in K.S.A. 17-1902, and amendments thereto, or a wireless infrastructure provider or a wireless services provider, as defined in K.S.A. 66-2019, and amendments thereto, when such vehicle is utilized for repairs and is making use of visual signals meeting the requirements of

K.S.A. 8-1731, and amendments thereto.

(f) This section shall be a part of and supplemental to the uniform act regulating traffic on highways.

Sec. 6. K.S.A. 2020 Supp. 8-2118 is hereby amended to read as follows: 8-2118. (a) A person charged with a traffic infraction shall, except as provided in subsection (b), appear at the place and time specified in the notice to appear. If the person enters an appearance, waives right to trial, pleads guilty or no contest, the fine shall be no greater than that specified in the uniform fine schedule in subsection (c) and court costs shall be taxed as provided by law.

(b) Prior to the time specified in the notice to appear, a person charged with a traffic infraction may enter a written appearance, waive right to trial, plead guilty or no contest and pay the fine for the violation as specified in the uniform fine schedule in subsection (c) and court costs provided by law. Payment may be made in any manner accepted by the court. The traffic citation shall not have been complied with if the payment is not honored for any reason, or if the fine and court costs are not paid in full. When a person charged with a traffic infraction makes payment without executing a written waiver of right to trial and plea of guilty or no contest, the payment shall be deemed such an appearance, waiver of right to trial and plea of no contest.

(c) The following uniform fine schedule shall apply uniformly throughout the state but shall not limit the fine ~~which~~ that may be imposed following a court appearance, except an appearance made for the purpose of pleading and payment as permitted by subsection (a). The description of offense contained in the following uniform fine schedule is for reference only and is not a legal definition.

<i>Description of Offense</i>	<i>Statute</i>	<i>Fine</i>
Unsafe speed for prevailing conditions	8-1557	\$75
Exceeding maximum speed limit; or speeding in zone posted by the state department of transportation; or speeding in locally posted zone	8-1558	1-10 mph over the limit, \$45
	to	
	8-1560	11-20 mph over the limit, \$45 plus \$6 per mph over 10 mph over the limit; 21-30 mph over the limit, \$105 plus \$9 per mph over 20 mph over the limit; 31 and more mph over the limit, \$195 plus \$15 per mph over 30 mph over the limit;
	8-1560a or 8-1560b	
Disobeying traffic control device	8-1507	\$75
Violating traffic control signal	8-1508	\$75
Violating pedestrian control	8-1509	\$45

signal		
Violating flashing traffic signals	8-1510	\$75
Violating lane-control signal	8-1511	\$75
Unauthorized sign, signal, marking or device	8-1512	\$45
Driving on left side of roadway	8-1514	\$75
Failure to keep right to pass oncoming vehicle	8-1515	\$75
Improper passing; increasing speed when passed	8-1516	\$75
Improper passing on right	8-1517	\$75
Passing on left with insuffi- cient clearance	8-1518	\$75
Driving on left side where curve, grade, intersec- tion railroad crossing, or obstructed view	8-1519	\$75
Driving on left in no-passing zone	8-1520	\$75
Unlawful passing of stopped emergency vehicle	8-1520a	\$75
Driving wrong direction on one-way road	8-1521	\$75
Improper driving on laned roadway	8-1522	\$75
Following too close	8-1523	\$75
Improper crossover on di- vided highway	8-1524	\$45
Failure to yield right-of-way at uncontrolled intersection	8-1526	\$75
Failure to yield to approach- ing vehicle when turning left	8-1527	\$75
Failure to yield at stop or yield sign	8-1528	\$75
Failure to yield from private road or driveway	8-1529	\$75
Failure to yield to emergency vehicle	8-1530	\$195
Failure to yield to pedestrian or vehicle working on roadway	8-1531	\$105
Failure to comply with re- strictions in road con- struction zone	8-1531a	\$45
Disobeying pedestrian traffic control device	8-1532	\$45

Failure to yield to pedestrian in crosswalk; pedestrian suddenly entering roadway; passing vehicle stopped for pedestrian at crosswalk	8-1533	\$75
Improper pedestrian crossing	8-1534	\$45
Failure to exercise due care in regard to pedestrian	8-1535	\$45
Improper pedestrian movement in crosswalk	8-1536	\$45
Improper use of roadway by pedestrian	8-1537	\$45
Soliciting ride or business on roadway	8-1538	\$45
Driving through safety zone	8-1539	\$45
Failure to yield to pedestrian on sidewalk	8-1540	\$45
Failure of pedestrian to yield to emergency vehicle	8-1541	\$45
Failure to yield to blind pedestrian	8-1542	\$45
Pedestrian disobeying bridge or railroad signal	8-1544	\$45
Improper turn or approach	8-1545	\$75
Improper "U" turn	8-1546	\$75
Unsafe starting of stopped vehicle	8-1547	\$45
Unsafe turning or stopping, failure to give proper signal; using turn signal unlawfully	8-1548	\$75
Improper method of giving notice of intention to turn	8-1549	\$45
Improper hand signal	8-1550	\$45
Failure to stop or obey road crossing signal	8-1551	\$195
Failure to stop at railroad crossing stop sign	8-1552	\$135
Certain hazardous vehicles failure to stop at railroad crossing	8-1553	\$195
Improper moving of heavy equipment at railroad crossing	8-1554	\$75
Vehicle emerging from alley, private roadway, building	8-1555	\$75

or driveway		
Improper passing of school bus; improper use of school bus signals	8-1556	\$315
Improper passing of church or day-care bus; improper use of signals	8-1556a	\$195
Impeding normal traffic by slow speed	8-1561	\$45
Speeding on motor-driven cycle	8-1562	\$75
Speeding in certain vehicles or on posted bridge	8-1563	\$45
Improper stopping, standing or parking on roadway	8-1569	\$45
Parking, standing or stopping in prohibited area	8-1571	\$45
Improper parking	8-1572	\$45
Unattended vehicle	8-1573	\$45
Improper backing	8-1574	\$45
Driving on sidewalk	8-1575	\$45
Driving with view or driving mechanism obstructed	8-1576	\$45
Unsafe opening of vehicle door	8-1577	\$45
Riding in house trailer	8-1578	\$45
Unlawful riding on vehicle	8-1578a	\$75
Improper driving in defiles, canyons, or on grades	8-1579	\$45
Coasting	8-1580	\$45
Following fire apparatus too closely	8-1581	\$75
Driving over fire hose	8-1582	\$45
Putting glass, etc., on highway	8-1583	\$105
Driving into intersection, crosswalk, or crossing without sufficient space on other side	8-1584	\$45
Improper operation of snowmobile on highway	8-1585	\$45
Parental responsibility of child riding bicycle	8-1586	\$45
Not riding on bicycle seat; too many persons on bicycle	8-1588	\$45
Clinging to other vehicle	8-1589	\$45

Improper riding of bicycle on roadway	8-1590	\$45
Carrying articles on bicycle; one hand on handlebars	8-1591	\$45
Improper bicycle lamps, brakes or reflectors	8-1592	\$45
Improper operation of motorcycle; seats; passengers, bundles	8-1594	\$45
Improper operation of motor cycle on laned roadway	8-1595	\$75
Motorcycle clinging to other vehicle	8-1596	\$45
Improper motorcycle handlebars or passenger equipment	8-1597	\$75
Motorcycle helmet and eye-protection requirements	8-1598	\$45
Unlawful operation of all-terrain vehicle	8-15,100	\$75
Unlawful operation of low-speed vehicle	8-15,101	\$75
Littering	8-15,102	\$115
Disobeying school crossing guard	8-15,103	\$75
Unlawful operation of micro utility truck	8-15,106	\$75
Failure to remove vehicles in accidents	8-15,107	\$75
Unlawful operation of golf cart	8-15,108	\$75
Unlawful operation of work-site utility vehicle	8-15,109	\$75
Unlawful display of license plate	8-15,110	\$60
Unlawful text messaging	8-15,111	\$60
Unlawful passing of a waste collection vehicle	8-15,112	\$45
<u>Unlawful passing of a utility or telecommunications vehicle</u>	<u>section 5</u>	<u>\$105</u>
Equipment offenses that are not misdemeanors	8-1701	\$75
Driving without lights when needed	8-1703	\$45
Defective headlamps	8-1705	\$45
Defective tail lamps	8-1706	\$45
Defective reflector	8-1707	\$45

Improper stop lamp or turn signal	8-1708	\$45
Improper lighting equipment on certain vehicles	8-1710	\$45
Improper lamp color on certain vehicles	8-1711	\$45
Improper mounting of reflectors and lamps on certain vehicles	8-1712	\$45
Improper visibility of reflectors and lamps on certain vehicles	8-1713	\$45
No lamp or flag on projecting load	8-1715	\$75
Improper lamps on parked vehicle	8-1716	\$45
Improper lights, lamps, reflectors and emblems on farm tractors or slow-moving vehicles	8-1717	\$45
Improper lamps and equipment on implements of husbandry, road machinery or animal-drawn vehicles	8-1718	\$45
Unlawful use of spot, fog, or auxiliary lamp	8-1719	\$45
Improper lamps or lights on emergency vehicle	8-1720	\$45
Improper stop or turn signal	8-1721	\$45
Improper vehicular hazard warning lamp	8-1722	\$45
Unauthorized additional lighting equipment	8-1723	\$45
Improper multiple-beam lights	8-1724	\$45
Failure to dim headlights	8-1725	\$75
Improper single-beam headlights	8-1726	\$45
Improper speed with alternate lighting	8-1727	\$45
Improper number of driving lamps	8-1728	\$45
Unauthorized lights and signals	8-1729	\$45
Improper school bus lighting equipment and warning devices	8-1730	\$45

Unauthorized lights and devices on church or day-care bus	8-1730a	\$45
Improper lights on highway construction or maintenance vehicles	8-1731	\$45
Defective brakes	8-1734	\$45
Defective or improper use of horn or warning device	8-1738	\$45
Defective muffler	8-1739	\$45
Defective mirror	8-1740	\$45
Defective wipers; obstructed windshield or windows	8-1741	\$45
Improper tires	8-1742	\$45
Improper flares or warning devices	8-1744	\$45
Improper use of vehicular hazard warning lamps and devices	8-1745	\$45
Improper air-conditioning equipment	8-1747	\$45
Improper safety belt or shoulder harness	8-1749	\$45
Improper wide-based single tires	8-1742b	\$75
Improper compression release engine braking system	8-1761	\$75
Defective motorcycle headlamp	8-1801	\$45
Defective motorcycle tail lamp	8-1802	\$45
Defective motorcycle reflector	8-1803	\$45
Defective motorcycle stop lamps and turn signals	8-1804	\$45
Defective multiple-beam lighting	8-1805	\$45
Improper road-lighting equipment on motor-driven cycles	8-1806	\$45
Defective motorcycle or motor-driven cycle brakes	8-1807	\$45
Improper performance ability of brakes	8-1808	\$45
Operating motorcycle with disapproved braking sys-	8-1809	\$45

tem		
Defective horn, muffler, mirrors or tires	8-1810	\$45
Unlawful statehouse parking	75-4510a	\$30
Exceeding gross weight of vehicle or combination	8-1909	Pounds Overweight
		up to 1000\$40
		1001 to 2000.....3¢
per pound		2001 to 5000.....5¢
per pound		5001 to 7500.....7¢
per pound		7501 and over.....10¢
per pound		
Exceeding gross weight on any axle or tandem, triple or quad axles	8-1908	Pounds Overweight
per pound		up to 1000\$40
		1001 to 2000.....3¢
		2001 to 5000.....5¢
per pound		5001 to 7500.....7¢
per pound		7501 and over.....10¢
per pound		
Failure to obtain proper registration, clearance or to have current certification	66-1324	\$287
Insufficient liability insurance for motor carriers	66-1,128 or 66-1314	\$137
Failure to obtain interstate motor fuel tax authorization	79-34,122	\$137
No authority as private or common carrier	66-1,111	\$137
Violation of motor carrier safety rules and regulations, except for violations specified in K.S.A. 66-1,130(b)(2), and amendments thereto	66-1,129	\$115

(d) Traffic offenses classified as traffic infractions by this section shall be classified as ordinance traffic infractions by those cities adopting ordinances prohibiting the same offenses. A schedule of fines for all ordinance traffic infractions shall be established by the municipal judge in the manner prescribed by K.S.A. 12-4305, and amendments thereto. Such fines may vary from those contained in the uniform fine schedule contained in subsection (c).

(e) Fines listed in the uniform fine schedule contained in subsection (c) shall be doubled if a person is convicted of a traffic infraction, which is defined as a moving violation in accordance with rules and regulations adopted pursuant to K.S.A. 8-249, and amendments thereto, committed within any road construction zone as defined in K.S.A. 8-1458a, and amendments thereto.

(f) For a second violation of K.S.A. 8-1908 or 8-1909, and amendments thereto, within two years after a prior conviction of K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon conviction shall be fined  $1\frac{1}{2}$  times the applicable amount from one, but not both, of the schedules listed in the uniform fine schedule contained in subsection (c). For a third violation of K.S.A. 8-1908 or 8-1909, and amendments thereto, within two years, after two prior convictions of K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon conviction shall be fined two times the applicable amount from one, but not both, of the schedules listed in the uniform fine schedule contained in subsection (c). For a fourth and each succeeding violation of K.S.A. 8-1908 or 8-1909, and amendments thereto, within two years after three prior convictions of K.S.A. 8-1908 or 8-1909, and amendments thereto, such person, upon conviction shall be fined  $2\frac{1}{2}$  times the applicable amount from one, but not both, of the schedules listed in the uniform fine schedule contained in subsection (c).

(g) Fines listed in the uniform fine schedule contained in subsection (c) relating to exceeding the maximum speed limit, shall be doubled if a person is convicted of exceeding the maximum speed limit in a school zone authorized under K.S.A. 8-1560(a)(4), and amendments thereto.

(h) For a second violation of K.S.A. 8-1556, and amendments thereto, within five years after a prior conviction of K.S.A. 8-1556, and amendments thereto, such person, upon conviction, shall be fined \$750 for the second violation. For a third and each succeeding violation of K.S.A. 8-1556, and amendments thereto, within five years after two prior convictions of K.S.A. 8-1556, and amendments thereto, such person, upon conviction, shall be fined \$1,000 for the third and each succeeding violation.";

Also on page 6, in line 16, by striking "8-126 and 8-1402a are" and inserting "8-2118 is"; in line 18, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; in line 2, by striking all before the second semicolon and inserting "traffic regulations; relating to motor vehicles; regulating vehicles in a funeral procession; permitting funeral escorts to direct funeral procession traffic through intersections and traffic control devices; requiring drivers to yield the right-of-way or move over for authorized utility or telecommunications vehicles; creating a traffic violation thereof"; in line 3, by striking "8-126 and 8-1402a" and inserting "8-2118"; in line 4, by striking "sections" and inserting "section";

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

RICHARD PROEHL  
LEO DELPERDANG  
HENRY HELGERSON

*Conferees on part of House*

MIKE PETERSEN

J. R. CLAEYS

TOM HAWK

*Conferees on part of Senate*

On motion of Rep. Proehl, the conference committee report on **SB 67** was adopted.

On roll call, the vote was: Yeas 119; Nays 3; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard.

Nays: Houser, Jacobs, Rhiley.

Present but not voting: None.

Absent or not voting: Howard, Sutton, Xu.

## CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 95** 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, following line 6, by inserting:

"Section 1. K.S.A. 2020 Supp. 8-126 is hereby amended to read as follows: 8-126. As used in this act, the following words and phrases ~~when used in this act shall~~ have the meanings respectively ascribed to them herein:

(a) "All-terrain vehicle" means any motorized nonhighway vehicle ~~50~~ 55 inches or less in width measured from the outside of one tire rim to the outside of the other tire rim, having a dry weight of 1,500 pounds or less, traveling on three or more nonhighway tires.

(b) "Autocycle" means a three-wheel motorcycle that has a steering wheel and seating that does not require the operator to straddle or sit astride it.

(c) "Commission" or "state highway commission" means the director of vehicles of the department of revenue.

(d) "Contractor" means a person, partnership, corporation, local government, county government, county treasurer or other state agency that has contracted with the

department to provide services associated with vehicle functions.

(e) "Department" or "motor vehicle department" or "vehicle department" means the division of vehicles of the department of revenue, acting directly or through its duly authorized officers and agents. When acting on behalf of the department of revenue pursuant to this act, a county treasurer shall be deemed to be an agent of the state of Kansas.

(f) "Division" means the division of vehicles of the department of revenue.

(g) "Electric-assisted scooter" means every self-propelled vehicle that has at least two wheels in contact with the ground, an electric motor, handlebars, a brake and a deck that is designed to be stood upon when riding.

(h) "Electric personal assistive mobility device" means a self-balancing two nontandem wheeled device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to 15 miles per hour or less.

(i) "Electric vehicle" means a vehicle that is powered by an electric motor drawing current from rechargeable storage batteries or other portable electrical energy storage devices, provided the recharge energy must be drawn from a source off the vehicle, such as, but not limited to:

(1) Residential electric service;

(2) an electric vehicle charging station, also called an EV charging station, an electric recharging point, a charging point, ~~EVSE~~ (electric vehicle supply equipment (EVSE)) or a public charging station.

(j) "Electronic certificate of title" means any electronic record of ownership, including any lien or liens that may be recorded, retained by the division in accordance with K.S.A. 2020 Supp. 8-135d, and amendments thereto.

(k) "Electronic notice of security interest" means the division's online internet program that enables a dealer or secured party to submit a notice of security interest as defined in this section, and to cancel the notice or release the security interest using the program. This program is also known as the Kansas elien or KSelien.

(l) "Farm tractor" means every motor vehicle designed and used as a farm implement power unit operated with or without other attached farm implements in any manner consistent with the structural design of such power unit.

(m) "Farm trailer" means every trailer and semitrailer as those terms are defined in this section, designed and used primarily as a farm vehicle.

(n) "Foreign vehicle" means every motor vehicle, trailer, or semitrailer that shall be brought into this state otherwise than in ordinary course of business by or through a manufacturer or dealer and has not been registered in this state.

(o) "Golf cart" means a motor vehicle that ~~has does~~ not ~~less~~ have fewer than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be and is operated at not more than 25 miles per hour and is designed to carry not more than four persons including the driver.

(p) "Highway" means every way or place of whatever nature open to the use of the public as a matter of right for the purpose of vehicular travel. The term "highway" ~~shall does not be deemed to~~ include a roadway or driveway upon grounds owned by private owners, colleges, universities or other institutions.

(q) "Implement of husbandry" means every vehicle designed or adapted and used exclusively for agricultural operations, including feedlots, and only incidentally moved

or operated upon the highways. ~~Such term shall include~~ "Implement of husbandry" ~~includes, but is not be~~ limited to:

(1) A farm tractor;  
 (2) a self-propelled farm implement;  
 (3) a fertilizer spreader, nurse tank or truck permanently mounted with a spreader used exclusively for dispensing or spreading water, dust or liquid fertilizers or agricultural chemicals, as defined in K.S.A. 2-2202, and amendments thereto, regardless of ownership;

(4) a truck mounted with a fertilizer spreader used or manufactured principally to spread animal dung; and

(5) a mixer-feed truck owned and used by a feedlot, as defined in K.S.A. 47-1501, and amendments thereto, and specially designed and used exclusively for dispensing food to livestock in such feedlot.

(r) "Lien" means a security interest as defined in this section.

(s) "Lightweight roadable vehicle" means a multipurpose motor vehicle that is allowed to be driven on public roadways and is required to be registered with, and flown under the direction of, the federal aviation administration.

(t) "Manufacturer" means every person engaged in the business of manufacturing motor vehicles, trailers or semitrailers.

(u) "Micro utility truck" means any motor vehicle that is not less than 48 inches in width, has an overall length, including the bumper, of not more than 160 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed 40 miles per hour as originally manufactured and is manufactured with a metal cab. "Micro utility truck" does not include a work-site utility vehicle or recreational off-highway vehicle.

(v) "Motor vehicle" means every vehicle, other than a motorized bicycle or a motorized wheelchair, that is self-propelled.

(w) "Motorcycle" means every motor vehicle, including autcycles, designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term "tractor" as defined in this section.

(x) "Motorized bicycle" means every device having two tandem wheels or three wheels, that may be propelled by either human power or helper motor, or by both, and has:

(1) A motor ~~which that~~ produces not more than 3.5 brake horsepower;

(2) a cylinder capacity of not more than 130 cubic centimeters;

(3) an automatic transmission; and

(4) the capability of a maximum design speed of no more than 30 miles per hour.

(y) "Motorized wheelchair" means any self-propelled vehicle designed specifically for use by a physically disabled person and such vehicle is incapable of a speed in excess of 15 miles per hour.

(z) "New vehicle dealer" means every person actively engaged in the business of buying, selling or exchanging new motor vehicles, travel trailers, trailers or vehicles ~~and~~ who holds a dealer's contract therefor from a manufacturer or distributor ~~and who~~ has an established place of business in this state.

(aa) "Nonresident" means every person who is not a resident of this state.

(bb) "Notice of security interest" means a notification to the division from a dealer or secured party of a purchase money security interest as provided in article 9 of chapter

84 of the Kansas Statutes Annotated, and amendments thereto, upon a vehicle that has been sold and delivered to the purchaser describing the vehicle and showing the name, address and acknowledgment of the secured party as well as the name and address of the debtor or debtors and other information the division requires.

(cc) "Oil well servicing, oil well clean-out or oil well drilling machinery or equipment" means a vehicle constructed as a machine used exclusively for servicing, cleaning-out or drilling an oil well and consisting in general of a mast, an engine for power, a draw works and a chassis permanently constructed or assembled for one or more of those purposes. The passenger capacity of the cab of a vehicle shall not be considered in determining whether such vehicle is oil well servicing, oil well clean-out or oil well drilling machinery or equipment.

(dd) "Owner" means a person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or in the event a vehicle is subject to a lease of 30 days or more with an immediate right of possession vested in the lessee; or in the event a party having a security interest in a vehicle is entitled to possession, then such conditional vendee or lessee or secured party shall be deemed the owner for the purpose of this act.

(ee) "Passenger vehicle" means every motor vehicle, as defined in this section, that is designed primarily to carry 10 or fewer passengers, and is not used as a truck.

(ff) "Person" means every natural person, firm, partnership, association or corporation.

(gg) "Pole trailer" means any two-wheel vehicle used as a trailer with bolsters that support the load, and do not have a rack or body extending to the tractor drawing the load.

(hh) "Recreational off-highway vehicle" means any motor vehicle ~~more than 50 but not greater than 64 75~~ inches in width measured from the outside of one tire rim to the outside of the other tire rim, having a dry weight of ~~2,000~~ 3,500 pounds or less, traveling on four or more nonhighway tires.

(ii) "Road tractor" means every motor vehicle designed and used for drawing other vehicles, and not so constructed as to carry any load thereon independently, or any part of the weight of a vehicle or load so drawn.

(jj) "Self-propelled farm implement" means every farm implement designed for specific use applications with its motive power unit permanently incorporated in its structural design.

(kk) "Semitrailer" means every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

(ll) "Specially constructed vehicle" means any vehicle that shall not have been originally constructed under a distinctive name, make, model or type, or that, if originally otherwise constructed shall have been materially altered by the removal of essential parts, or by the addition or substitution of essential parts, new or used, derived from other vehicles or makes of vehicles.

(mm) "Trailer" means every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle.

(nn) "Travel trailer" means every vehicle without motive power designed to be

towed by a motor vehicle constructed primarily for recreational purposes.

(oo) "Truck" means a motor vehicle that is used for the transportation or delivery of freight and merchandise or more than 10 passengers.

(pp) "Truck tractor" means every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle or load so drawn.

(qq) "Used vehicle dealer" means every person actively engaged in the business of buying, selling or exchanging used vehicles, and having an established place of business in this state and who does not hold a dealer's contract for the sale of new motor vehicles, travel trailers or vehicles.

(rr) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting electric personal assistive mobility devices or devices moved by human power or used exclusively upon stationary rails or tracks.

(ss) "Vehicle functions" means services relating to the application, processing, auditing or distribution of original or renewal vehicle registrations, certificates of title, driver's licenses and division-issued identification cards associated with services and functions set out in articles 1, 2 and 13 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto. "Vehicle functions" may also include personal property taxation duties set out in article 51 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and other vehicle-related events described in article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto.

(tt) "Work-site utility vehicle" means any motor vehicle that is not less than 48 inches in width, has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more nonhighway tires, a steering wheel and bench or bucket-type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. "Work-site utility vehicle" does not include a micro utility truck or recreational off-highway vehicle.";

Also on page 1, in line 7, before "K.S.A" by inserting "On and after January 1, 2022,";

On page 8, following line 32, by inserting:

"Sec. 3. K.S.A. 2020 Supp. 8-1402a is hereby amended to read as follows: 8-1402a. "All-terrain vehicle" means any motorized nonhighway vehicle ~~50~~ 55 inches or less in width measured from the outside of one tire rim to the outside of the other tire rim, having a dry weight of 1,500 pounds or less and traveling on three or more nonhighway tires.

Sec. 4. K.S.A. 2020 Supp. 8-126 and 8-1402a are hereby repealed.";

Also on page 8, in line 33, before "K.S.A." by inserting "On and after January 1, 2022,"; in line 35, by striking all before "its";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "relating to all-terrain vehicles and recreational off-highway vehicles; expanding the definitions thereof;"; also in line 3, after "Supp." by inserting "8-126,"; also in line 3, after "8-135" by inserting "and 8-1402a"; in line 4, by striking "section" and inserting "sections";

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

RICHARD PROEHL  
LEO DELPERDANG  
HENRY HELGERSON

*Conferees on part of House*

MIKE PETERSEN  
J. R. CLAEYS  
TOM HAWK

*Conferees on part of Senate*

On motion of Rep. Proehl, the conference committee report on **SB 95** was adopted.

On roll call, the vote was: Yeas 116; Nays 6; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Henderson, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard.

Nays: Bishop, Byers, Carmichael, Helgerson, Highberger, Ousley.

Present but not voting: None.

Absent or not voting: Howard, Sutton, Xu.

## CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 127** 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 11, following line 20, by inserting:

"Sec. 3. K.S.A. 2020 Supp. 8-262 is hereby amended to read as follows: 8-262. (a) (1) Any person who drives a motor vehicle on any highway of this state at a time when such person's privilege so to do is canceled, suspended or revoked or while such person's privilege to obtain a driver's license is suspended or revoked pursuant to K.S.A. 8-252a, and amendments thereto, shall be guilty of a class B nonperson misdemeanor on the first conviction and a class A nonperson misdemeanor on the second or subsequent conviction.

(2) No person shall be convicted under this section if such person was entitled at the time of arrest under K.S.A. 8-257, and amendments thereto, to the return of such person's driver's license.

(3) Except as otherwise provided by subsection (a)(4) or (c), every person convicted under this section shall be sentenced to at least five days' imprisonment and fined at least \$100 and upon a second conviction shall not be eligible for parole until completion of five days' imprisonment.

(4) Except as otherwise provided by subsection (c), if a person: (A) Is convicted of a violation of this section, committed while the person's privilege to drive or privilege to obtain a driver's license was suspended or revoked for a violation of K.S.A. 8-2,144 or 8-1567, and amendments thereto, or any ordinance of any city or resolution of any county or a law of another state, which ordinance or resolution or law prohibits the acts prohibited by those statutes; and (B) is or has been also convicted of a violation of K.S.A. 8-2,144 or 8-1567, and amendments thereto, or any ordinance of any city or resolution of any county or law of another state, which ordinance or resolution or law prohibits the acts prohibited by those statutes, committed while the person's privilege to drive or privilege to obtain a driver's license was so suspended or revoked, the person shall not be eligible for suspension of sentence, probation or parole until the person has served at least 90 days' imprisonment, and any fine imposed on such person shall be in addition to such a term of imprisonment.

(b) (1) Except as provided by subsection (b)(2), the division, upon receiving a record of the conviction of any person under this section, or any ordinance of any city or resolution of any county or a law of another state which is in substantial conformity with this section, upon a charge of driving a vehicle while the license of such person is revoked or suspended, shall extend the period of such suspension or revocation for an additional period of 90 days.

(2) For any person found guilty of driving a vehicle while the license of such person is suspended for violating K.S.A. 8-2110, and amendments thereto, such offense shall not extend the additional period of suspension pursuant to subsection (b)(1).

(c) (1) The person found guilty of a class A nonperson misdemeanor on a third or subsequent conviction of this section shall be sentenced to not less than 90 days' imprisonment and fined not less than \$1,500 if such person's privilege to drive a motor vehicle is canceled, suspended or revoked because such person:

(A) Refused to submit and complete any test of blood, breath or urine requested by law enforcement excluding the preliminary screening test as set forth in K.S.A. 8-1012, and amendments thereto;

(B) was convicted of violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage;

(C) was convicted of vehicular homicide, K.S.A. 21-3405, prior to its repeal, or K.S.A. 2020 Supp. 21-5406, and amendments thereto, involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or involuntary manslaughter as defined in K.S.A. 2020 Supp. 21-5405(a)(3) and (a)(5), and amendments thereto, or any other murder or manslaughter crime resulting from the operation of a motor vehicle; or

(D) was convicted of being a habitual violator, K.S.A. 8-287, and amendments thereto.

(2) The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours'

imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2020 Supp. 21-6609, and amendments thereto, or any municipal ordinance to serve the remainder of the minimum sentence only after such person has served 48 consecutive hours' imprisonment.

(d) For the purposes of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this section, "conviction" includes a conviction of a violation of any ordinance of any city or resolution of any county or a law of another state ~~which that~~ is in substantial conformity with this section.";

On page 16, in line 19, after the second comma by inserting "8-262,";

And by renumbering sections accordingly;

On page 1, in the title, in line 6, after the semicolon by inserting "providing an exclusion from the additional 90-day period for suspended or revoked licenses;"; in line 7, after the second comma by inserting "8-262,";

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

RICHARD PROEHL  
LEO DELPERDANG  
HENRY HELGERSON

*Conferees on part of House*

MIKE PETERSEN  
J. R. CLAEYS  
TOM HAWK

*Conferees on part of Senate*

On motion of Rep. Proehl, the conference committee report on **SB 127** was adopted.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Sutton, Xu.

**MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Concannon, the House nonconcurred in Senate amendments to **HB 2158** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Concannon, Esau and Ousley as conferees on the part of the House.

On motion of Rep. S. Johnson, the House nonconcurred in Senate amendments to **HB 2064** and asked for a conference.

Speaker Ryckman thereupon appointed Reps. Tarwater, Long and Clayton as conferees on the part of the House.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 55** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

KRISTEY WILLIAMS

STEVE HUEBERT

*Conferees on part of House*

MOLLY BAUMGARDNER

RENEE ERICKSON

*Conferees on part of Senate*

On motion of Rep. Williams the conference committee report on **SB 55** to agree to disagree, was adopted.

Speaker Ryckman thereupon appointed Reps. K. Williams, Huebert and Stogsdill as second conferees on the part of the House.

On roll call, the vote was: Yeas 75; Nays 42; Present but not voting: 1; Absent or not voting: 7.

Yeas: Anderson, Arnberger, Awerkamp, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Houser, Howe, Huebert, Humphries, Jacobs, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Resman, Rhiley, Ryckman, Sanders, Seiwert, Smith, A., Smith, C., Smith, E., Tarwater, Thomas, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ralph, Ruiz, L., Ruiz, S., Sawyer, Schreiber, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: Samsel.

Absent or not voting: Barker, Hoheisel, Howard, Jennings, S. Johnson, Sutton, Thompson.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Sawyer in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Sawyer, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2366** be passed.

Committee report recommending a substitute bill to **SB 91** be adopted; and **H Sub SB 91** be passed.

### INTRODUCTION OF ORIGINAL MOTIONS

On emergency motion of Rep. Hawkins pursuant to House Rule 2311, **HB 2366** and **H Sub SB 91** were advanced to Final Action on Bills and Concurrent Resolutions.

### FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

**H Sub SB 91**, AN ACT concerning high school work-based learning programs; relating to liability for students and business, municipal and postsecondary educational institution program providers; providing liability protection for businesses that participate in work-based learning programs; amending K.S.A. 72-18,101 and 72-18,102 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Sutton.

The substitute bill passed.

**HB 2366**, AN ACT concerning crimes, punishment and criminal procedure; relating to jailhouse witness testimony; requiring prosecutors to disclose their intent to introduce testimony from a jailhouse witness and to forward related information to the Kansas bureau of investigation, was considered on final action.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Sutton.

The bill passed.

## REPORT OF STANDING COMMITTEE

Your Committee on Calendar and Printing recommends on requests for resolutions and certificates that:

**Request No. 35**, by Representative Lisa M. Moser, congratulating the Hanover High School for winning the State Girl's Volleyball Championship, State Boy's Football Championship and State Boy's Basketball Championship.

**Request No. 36**, by Representative KC Ohaebosim, honoring the memory of Dr. Emmanuel Anekwe, may his soul rest in perfect peace.

**Request No. 37**, by Representative Sydney Carlin and Michael Dodson, congratulating Chalice Carter for being named Kansas Youth of the Year by Boys and Girls Clubs of America.

**Request No. 38**, by Representatives T Johnson, Neelly, French, Ellis and Proctor, honoring MAJ Robert Warren Oliver Jr. with distinguished service in the United States Army for which he was awarded the Bronze Star.

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hawkins, the committee report was adopted.

## MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **SB 55**, and has appointed Senators Baumgardner, Erickson and Sykes as Second conferees on the part of the Senate.

The Senate adopts the Conference Committee report to agree to disagree on **HB 2183**, and has appointed Senators Alley, Hilderbrand and Faust-Goudeau as Second conferees on the part of the Senate.

**CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2183** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

LARRY ALLEY  
 RICHARD HILDERBRAND  
 OLETHA FAUST-GOUDEAU  
*Conferees on part of Senate*

BLAKE CARPENTER  
 EMIL BERGQUIST  
 VIC MILLER  
*Conferees on part of House*

On motion of Rep. Carpenter, B. the conference committee report on **HB 2183** to agree to disagree, was adopted.

Speaker pro tem Finch thereupon appointed Reps. B. Carpenter, Bergquist and Miller as second conferees on the part of the House.

On motion of Rep. Hawkins, the House recessed until 2:00 p.m.

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**AFTERNOON SESSION**

The House met pursuant to recess with Speaker pro tem Finch in the chair.

**MESSAGES FROM THE GOVERNOR**

**HB 2321** approved on April 8, 2021.

**MESSAGES FROM THE SENATE**

Announcing passage of **HB 2058**, as amended, **Sub HB 2089**, as amended, **HB 2224**, as amended, **HB 2401**, as amended, **HB 2405**, as amended.

Announcing passage of **HB 2138**, as amended by **S Sub HB 2138**.

Announcing passage of **HB 2408**.

The Senate adopts the Conference Committee report on **SB 103**.

The Senate adopts the Conference Committee report on **SB 106**.

The Senate adopts the Conference Committee report on **SB 107**.

The Senate adopts the Conference Committee report on **SB 122**.

The Senate adopts the Conference Committee report on **HB 2066**.

The Senate adopts the Conference Committee report on **HB 2243**.

The Senate accedes to the request of the House for a conference on **HB 2064** and has appointed Senators Baumgardner, Erickson and Sykes as conferees on the part of the Senate.

### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **H Sub SB 26** 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 as House Substitute for Senate Bill No. 26, as follows:

On page 1, by striking all in lines 8 through 36;

On page 2, by striking all in lines 1 through 11; following line 11, by inserting:

"Section 1. K.S.A. 66-1,105 is hereby amended to read as follows: 66-1,105. The orders and decisions of the commission on the matters covered by this act shall be made in writing and copies of such decisions shall be served on motor carriers by electronic mail if authorized by the motor carrier or first class mail, except that orders and decisions potentially resulting in a negative impact upon any motor carrier's authority and initial orders in show cause proceedings shall be served by certified mail, return receipt requested. A motor carrier may, at any time, revoke the authorization to receive the orders and decisions through electronic mail provided by this section, and any orders or decisions of the commission after the date of the revocation shall be served by mail. Every order and decision of the commission on matters covered by this act shall become operative and effective within 30 days after service, and the motor carrier shall carry the provisions of the order into effect, unless the order is enjoined or set aside by a court of proper jurisdiction.

Sec. 2. K.S.A. 66-1,108 is hereby amended to read as follows: 66-1,108. As used in this act:

(a) "Commission" means the corporation commission of the state of Kansas;

~~(b) "ground water well drilling rigs" means any vehicle, machine, tractor, trailer, semi-trailer or specialized mobile equipment propelled or drawn by mechanical power and used on highways to transport water well field operating equipment, including water well drilling and pump service rigs equipped to access ground water;~~

(e) "household goods" means property and personal effects used or to be used in a dwelling, when a part of the equipment or supply of such dwelling and such other similar property, as the commission may provide by rules and regulations, if the transportation of such effects or property is:

(1) Arranged and paid for by the householder, including transportation of property from a factory or store when the property is purchased by the householder with intent to use in such householder's dwelling; or

(2) arranged and paid for by another party;

~~(c)~~ "public motor carrier of household goods" means any person who undertakes for hire to transport by commercial motor vehicle, from place to place, the household goods of others who may choose to employ or contract with the motor carrier;

~~(d)~~ "public motor carrier of passengers" means any person who undertakes for hire to transport by commercial motor vehicle, from place to place, persons who may choose to employ or contract with the motor carrier; and

~~(e)~~ "public motor carrier of property" means any person who undertakes for hire to transport by commercial motor vehicle, from place to place, the property other than household goods of others who may choose to employ or contract with the motor carrier.

Sec. 3. K.S.A. 66-1,110 is hereby amended to read as follows: 66-1,110. All "public motor carriers of property, of household goods or of passengers" as defined in this act are hereby declared to be common carriers within the meaning of the public utility laws of this state, and are hereby declared to be affected with a public interest and subject to this act, to the extent not preempted by federal law, and to the laws of this state, including the regulation of all rates and charges now in force or that hereafter may be enacted, pertaining to public utilities and common carriers as far as applicable, and not in conflict.

Sec. 4. K.S.A. 66-1,111 is hereby amended to read as follows: 66-1,111. No public motor carrier of property or passengers or private motor carrier of property ~~or local cartage carrier~~ shall operate any motor vehicle for the transportation of either persons or property on any public highway in this state except in accordance with the provisions of this act, and amendments thereto, and other applicable laws.

Sec. 5. K.S.A. 66-1,112 is hereby amended to read as follows: 66-1,112. (a) The commission is hereby vested with power and authority and it shall be its duty to license, supervise and regulate every public motor carrier of property, of household goods or of passengers in this state, to the full extent not preempted by federal law, including fixing and approving reasonable maximum or minimum, or maximum and minimum rates, fares, charges, classifications and rules and regulations pertaining to the transportation of household goods or passengers as defined in 49 U.S.C. § 13102. The commission shall prescribe rules and regulations related to uniform cargo liability, uniform bills of lading, uniform cargo credit and antitrust immunity for joint-line rates and routes, classifications and mileage guides. The commission is hereby vested with power and authority and it shall be its duty to license, supervise and regulate every public motor carrier transporting property, household goods or passengers in this state, and to regulate and supervise the accounts, schedules, service and method of operation of same; ~~to prescribe a uniform system and classification of accounts to be used; to require the filing of annual and other reports and any other data;~~ and to supervise and regulate public motor carriers transporting property, household goods or passengers in all matters affecting the relationship between such public motor carriers of property, of household goods or of passengers and the traveling and shipping public.

(b) The commission shall have power and authority, by general order or otherwise, to prescribe reasonable and necessary rules and regulations governing all such motor carriers. All laws relating to the powers, duties, authority and jurisdiction of the corporation commission over common carriers are hereby made applicable to all such motor carriers except as herein otherwise specifically provided.

(c) In order to insure nondiscriminatory, nonpreferential and just and reasonable rates, joint rates, fares, tolls, charges and exactions for all shippers, the commission shall establish rate-making procedures for all ~~motor common carriers~~ holders of a certificate of convenience and necessity, including collective rate-making procedures for joint consideration, initiation and establishment of such rates and charges for transporting household goods or passengers as defined in 49 U.S.C. § 13102. The commission shall prescribe reasonable rules and regulations related to uniform cargo liability, uniform bills of lading, uniform cargo credit and antitrust immunity for joint-line rates and routes, classifications and mileage guides. Joint and collective rate-making shall be limited to:

(1) That which is necessary to formulate one or more joint rates as such term is

used in K.S.A. 66-117, and amendments thereto;

(2) general rate increases or decreases if the tariff proposal gives shippers, under procedures approved by the commission, at least 15 days' notice of the proposal and an opportunity to present comments on it before a tariff is filed with the commission and if discussion of such increases or decreases is related to industry average carrier costs and does not include discussion related exclusively to individual markets or particular single-line rates;

(3) ~~changes in commodity classifications;~~

(4) changes in tariff structures if discussion of such changes is related to industry average carrier costs and does not include discussion related exclusively to individual markets or particular single-line rates; and

~~(5)~~(4) publishing of tariffs, filing of independent actions for individual members and changes in rules and regulations ~~which that~~ are of at least substantially general application throughout the area ~~in which where~~ such changes will apply.

(d) The provisions of K.S.A. 50-101 et seq., and amendments thereto, shall not apply to the activities and procedures of persons, groups, agencies, bureaus or other entities where such activities and procedures have received approval by order of the commission under this statute.

Sec. 6. K.S.A. 66-1,112g is hereby amended to read as follows: 66-1,112g. The commission shall issue permits to private motor carriers of property and require ~~the filing of annual and other reports, and~~ such additional data as may be required by the commission in carrying out the provisions of this act. The commission may adopt rules and regulations relating to private motor carriers of property.

Sec. 7. K.S.A. 66-1,112j is hereby amended to read as follows: 66-1,112j. Upon failure to comply with the provisions of the motor carrier law or other laws of the state relating to motor carriers, or upon failure to comply with motor carrier rules and regulations of the commission, ~~or rules and regulations of the state property valuation department, the department of revenue relating to taxation of motor carriers, or the port of entry board relating to motor carriers,~~ the commission may suspend or completely revoke, at any time, any permit, certificate or interstate license after notice and an opportunity to be heard has been given to the grantee in accordance with the provisions of the Kansas administrative procedure act.

Sec. 8. K.S.A. 66-1,114 is hereby amended to read as follows: 66-1,114. (a) Except as hereinafter provided, it shall be unlawful for any public motor carrier to operate as a carrier of household goods or passengers in intrastate commerce within this state without first having obtained from the commission a certificate of convenience and necessity to transport household goods or passengers. ~~The commission, upon the filing of an application for a certificate, shall fix a time and place for hearing thereon, which shall be not less than 20 and not more than 60 days after the filing and shall be conducted in accordance with the provisions of the Kansas administrative procedure act. Notices of hearings shall be published electronically on the commission's web site within three days of the filing of the application. Any person may offer testimony at such hearing. A motor carrier denied a certificate shall be afforded the opportunity of a hearing on the matter in accordance with the provisions of the Kansas administrative procedure act. If such hearing is requested, the hearing shall be held within 10 business days of the request.~~

(b) If the commission finds that the proposed service or any part thereof is

proposed to be performed by the applicant, that the applicant is fit, willing and able to perform such service; and that the applicant is in compliance with the commission's safety rules and regulations, liability and cargo insurance requirements and other applicable state laws, the commission shall issue the certificate of convenience and necessity to transport household goods and passengers, except that if the commission finds that the proposed service is inconsistent with the public convenience and necessity, the commission shall not issue the certificate.

(c) Within 18 months of the issuance to a public motor carrier of a certificate of convenience and necessity to transport household goods or passengers, the commission shall verify that such public motor carrier continues to be fit, knowledgeable and in compliance with the commission's safety rules and regulations, liability and cargo insurance requirements and other applicable state laws.

Sec. 9. K.S.A. 66-1,114b is hereby amended to read as follows: 66-1,114b. (a) Except as hereinafter provided, it shall be unlawful for any public motor carrier to operate as a carrier of property other than household goods or as a carrier of passengers in intrastate commerce within this state without first having obtained from the commission a certificate of public service to transport property other than household goods or to transport passengers.

(b) The commission, upon the filing of an application for a certificate of public service, shall ascertain that the motor carrier is fit, knowledgeable and in compliance with the commission's safety rules and regulations, liability and cargo insurance requirements and other applicable state laws. Once a motor carrier submits a complete application demonstrating that the motor carrier is fit, knowledgeable and in compliance with the commission's safety rules and regulations, liability and cargo insurance requirements and other applicable state laws, the commission may issue that motor carrier a 30-day interim certificate of public service, signed and approved by the commission's executive director. ~~A list of applications received shall be published electronically on the commission's web site, and shall state whether an interim certificate has been granted to the applicant. Any person who opposes the grant of a certificate of public service to a motor carrier applicant shall have 30 days from the commission's grant of an interim certificate to file a written protest with the commission. If no protest against a motor carrier applicant is filed before the expiration of the 30-day interim certificate, the commission may issue the motor carrier applicant a permanent certificate, signed and approved by the commission's executive director. If the commission finds that an applicant is not fit, knowledgeable, or in compliance with the commission's safety rules and regulations, liability and cargo insurance requirements and other applicable state laws, an order shall be issued denying the application. If the commission deems it necessary, a hearing may be held on any application, and any commission decision on such application shall be issued by order certificate of public service. A motor carrier denied a certificate shall be afforded the opportunity of a hearing on the matter in accordance with the provisions of the Kansas administrative procedure act. If such a hearing is requested, the hearing shall be held within 10 business days of the request.~~

(c) Motor carriers holding a certificate of convenience and necessity to transport property other than household goods shall be considered as holding a certificate of public service to transport that property originally granted by the commission as a public motor carrier of property. Pursuant to federal law those motor carriers may

transport that property originally granted by the commission statewide.

(d) Within 18 months of the issuance to a public motor carrier of a certificate of public service to transport property other than household goods or passengers, the commission shall verify that such public motor carrier continues to be fit, knowledgeable and in compliance with the commission's safety rules and regulations, liability and cargo insurance requirements and other applicable state laws.

Sec. 10. K.S.A. 66-1,116 is hereby amended to read as follows: 66-1,116. (a) It shall be unlawful for a public motor carrier of property, of household goods or of passengers to operate in interstate commerce regulated by the relevant federal agency without registering its motor vehicles in its base state pursuant to federal statutes in order to operate in Kansas.

(b) It shall be unlawful for a public motor carrier of property, of household goods or of passengers or a private motor carrier of property ~~which that~~ is exempt from federal regulations, to operate in interstate commerce within this state, without having furnished the commission, in writing, such information as the commission may request ~~covering observance of state police regulations~~ and the payments of the fees. This act shall apply to all persons and motor vehicles engaged in interstate commerce only to the extent permitted by the constitution and laws of the United States.

Sec. 11. K.S.A. 66-1,119 is hereby amended to read as follows: 66-1,119. ~~No public motor carrier authorized by this act to operate shall change, abandon or discontinue any service established by this act or operations under any certificate of convenience and necessity issued for carriers of household goods or passengers without consent of the commission after written application. Failure of any motor carrier to annually renew its authority, certificate or permit in a timely manner shall result in a termination of that motor carrier's authority by operation of law. A list of applications for changes to, abandonments of or discontinuances of any authority, as well as any abandonments of authority by operation of law for failure to renew, shall be published on the commission's web site.~~

Sec. 12. K.S.A. 66-1,141 is hereby amended to read as follows: 66-1,141. ~~The provisions of K.S.A. 66-1,138, and 66-1,139 and 66-1,140, and amendments thereto, shall be and shall be construed as supplemental to and as a part of and supplemental to article 1 of chapter 66 of the Kansas Statutes Annotated, and any acts amendatory thereof or supplemental amendments thereto.~~;

Also on page 2, in line 12, by striking "68-1022 is" and inserting "66-1,105, 66-1,108, 66-1,110, 66-1,111, 66-1,112, 66-1,112g, 66-1,112j, 66-1,114, 66-1,114b, 66-1,116, 66-1,118, 66-1,119, 66-1,119a, 66-1,140, 66-1,141 and 66-1,142d are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "concerning"; by striking lines 2 and 3; in line 4, by striking all before the semicolon and inserting "motor carriers; relating to the state corporation commission's regulation of motor carriers; updating and eliminating certain procedures for certificates of convenience and necessity and certificates of public service; revising certain laws to conform to federal regulation"; also in line 4, by striking "68-1022" and inserting "66-1,105, 66-1,108, 66-1,110, 66-1,111, 66-1,112, 66-1,112g, 66-1,112j, 66-1,114, 66-1,114b, 66-1,116, 66-1,119 and 66-1,141"; in line 5, by striking "section" and inserting "sections; also repealing K.S.A. 66-1,118, 66-1,119a, 66-1,140 and 66-1,142d";

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

RICHARD PROEHL  
LEO DELPERDANG  
HENRY HELGERSON

*Conferees on part of House*

MIKE PETERSEN  
J. R. CLAEYS  
TOM HAWK

*Conferees on part of Senate*

On motion of Rep. Delperdang, the conference committee report on **H Sub SB 26** was adopted.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Barker, Howard.

## CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 38** 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 2, following line 4, by inserting:

"Sec. 3. K.S.A. 2020 Supp. 2-1903 is hereby amended to read as follows: 2-1903. As used in this act:

(1) "District" or "conservation district" means a governmental subdivision of this state, and a public body corporate and politic, organized in accordance with the provisions of this act, for the purposes, with the powers, and subject to the restrictions hereinafter set forth.

(2) "Supervisor" means one of the members of the governing body of a district, elected or appointed in accordance with the provisions of this act.

(3) "~~Commission~~" or "~~state conservation commission~~" means the conservation program policy board created in K.S.A. 2-1904, and amendments thereto, including the state conservation commission continued in existence by K.S.A. 74-5,128, and amendments thereto.

(4) "State" means the state of Kansas.

(5) "Agency of this state" includes the government of this state and any subdivision, agency or instrumentality, corporation or otherwise, of the government of this state.

(6) "United States" or "agencies of the United States" includes the United States of America, the ~~soil~~ natural resources conservation service of the United States department of agriculture and any other agency or instrumentality, corporate or otherwise, of the United States of America.

(7) "Government" or "governmental" includes the government of this state, the government of the United States and any subdivision, agency or instrumentality, corporate or otherwise, of either of them.

(8) "~~Division~~" or "~~division of conservation~~" means the agency division of conservation established within the Kansas department of agriculture in K.S.A. 74-5,126, and amendments thereto.

(9) "~~Director~~" means the executive director of the division.

(10) "~~Invasive plant species~~" means a species of plant not native to Kansas whose introduction, presence or spread does or is likely to cause economic harm, environmental harm or harm to human health.

(11) "~~Secretary~~" means the secretary of the Kansas department of agriculture.

Sec. 4. K.S.A. 2020 Supp. 2-1904 is hereby amended to read as follows: 2-1904.

(a) There is hereby established, to serve as a conservation program policy board of the state and to perform the functions conferred upon it in this act, the state conservation commission. The state conservation commission shall succeed to all the powers, duties and property of the state soil conservation committee. The commission shall consist of nine members as follows:

(1) ~~The director of the cooperative extension service and the director of the state agricultural experiment station dean of the Kansas state university college of agriculture located at Manhattan, Kansas, or such persons' designees shall serve, ex officio, as shall appoint two designees to serve on the commission as members of the commission. One designee shall represent an agricultural experiment station and one shall represent the cooperative extension service.~~

(2) ~~The commission secretary shall request the secretary of agriculture of the United States of America to appoint one person, and the secretary of the Kansas department of agriculture to shall appoint one person, each of whom shall be residents of the state of Kansas to serve as members of the commission. These members shall hold office for four years and until a successor is appointed and qualifies, with terms commencing on the second Monday in January beginning in 1973.~~

(3) Five members of the ~~state~~ commission shall be elected by the conservation district supervisors at a time and place to be designated by the ~~state conservation~~ commission. The method of electing such members to be conducted as follows: The state is to be divided into five separate areas. Area No. 1 to include the following counties: Cheyenne, Rawlins, Decatur, Norton, Phillips, Smith, Osborne, Rooks, Graham, Sheridan, Thomas, Sherman, Wallace, Logan, Gove, Trego, Ellis and Russell.

Area No. II to include: Greeley, Wichita, Scott, Lane, Ness, Rush, Pawnee, Hodgeman, Finney, Kearny, Hamilton, Edwards, Ford, Gray, Haskell, Grant, Stanton, Morton, Stevens, Seward, Meade, Clark, Comanche and Kiowa. Area No. III to include: Jewell, Republic, Mitchell, Cloud, Lincoln, Ottawa, Ellsworth, Saline, Rice, McPherson, Reno, Harvey, Kingman, Sedgwick, Sumner, Harper, Barber, Pratt, Barton and Stafford. Area No. IV to include: Washington, Marshall, Nemaha, Brown, Doniphan, Clay, Riley, Pottawatomie, Jackson, Atchison, Jefferson, Leavenworth, Wyandotte, Johnson, Douglas, Shawnee, Wabaunsee, Geary, Dickinson, Morris, Osage, Franklin and Miami. Area No. V to include: Marion, Chase, Lyon, Coffey, Anderson, Linn, Bourbon, Allen, Woodson, Greenwood, Butler, Elk, Wilson, Neosho, Crawford, Cowley, Chautauqua, Montgomery, Lette and Cherokee. Areas II and IV ~~will~~ shall elect members in even number even-numbered years and Areas I, III and V shall elect members in odd number odd-numbered years for ~~two year two-year~~ terms. The elected commission members from Areas I, III and V shall take office on January 1; of the ~~even number even-numbered~~ years. The remaining two elected members of the state commission from Areas II and IV shall take office on January 1; of the ~~odd number odd-numbered~~ years. The method of election is to be by area caucus of the district supervisors of each of the five separate areas of Kansas. The commission shall give each district notice of the time and place of such annual election meeting by letter if a member is to be elected to the commission from that area that year. The selection of a successor to fill an unexpired term shall be by appointment by the commission. The successor who is appointed to fill the unexpired term shall be a resident of the same area as that of the predecessor.

(b) The commission shall keep a record of its official actions; ~~and shall adopt a seal which seal shall be judicially noticed, and may perform such acts, hold such public hearings and adopt~~ review all rules and regulations proposed by the division that are necessary for the execution of its the division's functions under this act.

(c) In addition to the powers and duties conferred in this section, the ~~state conservation~~ commission shall have the powers and duties not delegated to the ~~Kansas department of agriculture division of conservation~~ pursuant to K.S.A. 74-5,126, and amendments thereto.

(d) The commission shall designate its chairperson and, from time to time, may change such designation. A majority of the commission shall constitute a quorum, and the concurrence of a majority in any matter within their duties shall be required for its determination. Members of the ~~state conservation~~ commission attending meetings of such commission or attending a subcommittee meeting thereof authorized by such commission shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto. The commission shall provide for keeping of a full and accurate record of all proceedings and of all resolutions, rules and regulations and orders issued or adopted.

(e) The ~~state conservation~~ commission together with the ~~Kansas department of agriculture division of conservation~~ shall make conservation program policy decisions to be approved by the secretary, including modification of current conservation programs, creation of new conservation programs and annual budget recommendations.

(f) The ~~Kansas department of agriculture division of conservation~~ in consultation with the ~~state conservation~~ commission shall have the following duties and powers:

(1) To offer such assistance as may be appropriate to the supervisors of conservation districts, organized as provided hereinafter, in the carrying out of any of

their powers and programs;

(2) to keep the supervisors of each of the several districts organized under the provisions of this act informed of the activities and experience of all other districts organized hereunder and to facilitate an interchange of advice and experience between such districts and cooperation between them;

(3) to coordinate the programs of the several conservation districts organized hereunder;

(4) to secure the cooperation and assistance of the United States and any of its agencies and of agencies of this state, in the work of such districts and to contract with or to accept donations, grants, gifts and contributions in money, services or otherwise from the United States or any of its agencies or from the state or any of its agencies in order to carry out the purposes of this act;

(5) to disseminate information throughout the state concerning the activities and programs of the conservation districts organized hereunder and to encourage the formation of such districts in areas where their organization is desirable;

(6) to cooperate with and give assistance to watershed districts and other special purpose districts in the state of Kansas for the purpose of cooperating with the United States through the secretary of agriculture in the furtherance of conservation pursuant to the provisions of the watershed protection and flood prevention act, as amended;

(7) to cooperate in and carry out, in accordance with state policies, activities and programs to conserve and develop the water resources of the state and maintain and improve the quality of such water resources;

(8) to enlist the cooperation and collaboration of state, federal, regional, interstate, local, public and private agencies with the conservation districts;

(9) to facilitate arrangements under which conservation districts may serve county governing bodies and other agencies as their local operating agencies in the administration of any activity concerned with the conservation of natural resources; and

(10) to take such actions as are necessary to restore, establish, enhance and protect natural resources with conservation easements for the purpose of compensatory mitigation required under section 404 of the federal clean water act, including:

(A) Accepting, purchasing or otherwise acquiring conservation easements, as defined in K.S.A. 58-3810, and amendments thereto, on behalf of watershed districts for the purpose of protecting compensatory mitigation sites;

(B) contracting with engineering consultants, surveyors and construction contractors for the purpose of restoration, establishment and enhancement of natural resources; and

(C) establishing fees for the acquisition and administration of conservation easements held on behalf of watershed districts, accepting such fees from state and local government agencies, and assuming responsibility to ensure the terms of the conservation easement are met, as approved by the department, for the length of term of the easement for which fees have been accepted.

(g) There is hereby established in the state treasury the compensatory mitigation fund, ~~which shall to~~ be administered by the department of agriculture. All expenditures from the compensatory mitigation fund shall be for conservation. All expenditures from the compensatory mitigation 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 secretary of agriculture or the designee of the secretary. The secretary

of agriculture shall remit all moneys received by or for the secretary under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the compensatory mitigation fund.

(h) All costs associated with compensatory mitigation, including, but not limited to, the costs of any litigation or civil fines or penalties, shall be paid by the watershed district for which the ~~Kansas department of agriculture~~ division of conservation holds the conservation easement.

(i) (1) Except as provided in ~~subsection (i), paragraph (2)~~, the Kansas department of agriculture shall not expend moneys appropriated from the state general fund or from any special revenue fund or funds for the purpose of accepting, purchasing or otherwise acquiring conservation easements on behalf of watershed districts.

(2) The Kansas department of agriculture may expend moneys in the compensatory mitigation fund established by this section for the purpose of accepting, purchasing or otherwise acquiring conservation easements on behalf of watershed districts and for the administration of such conservation easements.

(j) The ~~Kansas department of agriculture~~ division of conservation shall not accept, purchase or otherwise acquire any conservation easement other than for the purposes of this section.

Sec. 5. K.S.A. 2020 Supp. 2-1907 is hereby amended to read as follows: 2-1907. The governing body of the district shall consist of five supervisors who are qualified electors residing within the district. The supervisors who are first elected shall serve for terms of one, two and three years according to the following plan: The two persons receiving the highest number of votes in the election shall hold office for three years; the two persons receiving the next highest number of votes shall hold such office for a term of two years; and the remaining supervisor shall hold office for a term of one year. In the event of a tie vote, such terms shall be decided by lot. Nothing in this section shall be construed as affecting the length of the term of supervisors holding office on January 1, 1995. Successors to such persons shall be elected for terms of three years. An annual meeting of all qualified electors of the district shall be held in the month of January or February. Notice of the time and place of such meeting shall be given by such supervisors by publishing a notice in the official county paper once each week for two consecutive weeks prior to the week in which such meeting is to be held. At such meeting the supervisors shall make full and due report of their activities and financial affairs since the last annual meeting and shall conduct an election by secret ballot of all of the qualified electors of the district there present for the election of supervisors whose terms have expired. Whenever a vacancy occurs in the membership of the governing body the remaining supervisors of the district shall appoint a qualified elector of the district to fill the office for the unexpired term. The supervisors shall designate a chairperson and may from time to time change such designation. A supervisor shall hold office until a successor has been elected or appointed and has qualified. A majority of the supervisors shall constitute a quorum and the concurrence of a majority of the supervisors in any matter within their duties shall be required for its determination. A supervisor shall receive no compensation for services, but may be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of duties. The supervisors may employ a secretary, technical experts, and such other officers, agents, and employees, permanent and temporary, as they may require, and shall determine

their qualifications, duties and compensation. The supervisors may call upon the county attorney of the county in which a major portion of the district lies, or the attorney general for such legal services as they may require. The supervisors may delegate to their chairperson, to one or more supervisors, or to one or more agents, or employees such powers and duties as they may deem proper. The supervisors shall furnish to the ~~Kansas department of agriculture division of conservation~~, upon request, copies of such rules, regulations, orders, contracts, forms, and other documents as they shall adopt or employ, and such other information concerning their activities as it may require in the performance of its duties under this act. The supervisors shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations, and orders issued or adopted; and shall provide for an annual audit of the accounts and receipts and disbursements. Any supervisor may be removed by the ~~state conservation~~ secretary in consultation with the commission upon notice and hearing in accordance with the provisions of the Kansas administrative procedure act; for neglect of duty or malfeasance in office, but for no other reason. The supervisors may invite the legislative body of any municipality or county located near the territory comprised within the district to designate a representative to advise and consult with the supervisors of the district on all questions of program and policy ~~which~~ that may affect the property, water supply; or other interests of such municipality or county.

Sec. 6. K.S.A. 2020 Supp. 2-1907c is hereby amended to read as follows: 2-1907c. On or before September 1 of each year, each conservation district shall submit to the ~~Kansas department of agriculture division of conservation~~ a certification of the amount of money to be furnished by the county commissioners for conservation district activities for the ensuing calendar year. Such amount shall be the same as authorized for such purposes in each approved county budget. For the purpose of providing state financial assistance to conservation districts, the ~~Kansas department of agriculture division of conservation~~ in the regular budget request, as a line item for the forthcoming fiscal year, shall submit a special request for an amount equal to the sum of the allocations of each county to each conservation district, but in no event to exceed the sum of \$25,000 per district. This \$25,000 limitation shall be applicable for fiscal year 2008, and thereafter, subject to appropriations therefor. The ~~Kansas department of agriculture division of conservation~~, as soon as practicable after July 1 of the following year, shall disburse such moneys as may be appropriated by the state for this purpose to each conservation district to match funds allocated by the commissioners of each county. Distribution shall be prorated in proportion to county allocations in the event that appropriations are insufficient for complete matching of funds. Municipal accounting procedures shall be used in the distribution of and in the expenditure of all funds.

Sec. 7. K.S.A. 2020 Supp. 2-1908 is hereby amended to read as follows: 2-1908. A conservation district organized under the provisions of K.S.A. 2-1901 et seq., and amendments thereto, shall constitute a governmental subdivision of this state; and a public body corporate and politic, exercising public powers, and such district, and the supervisors thereof, shall have the following powers, in addition to others granted in other sections of this act:

- (a) To conduct surveys, investigations; and research relating to the character of soil

erosion, soil and grassland health, flood damage, water quality and the preventive and control measures needed, to publish the results of such surveys, investigations, or research, and to disseminate information concerning such preventive and control measures. In order to avoid duplication of research activities, no district shall initiate any research program except in cooperation with the government of this state or any of its agencies; or with the United States or any of its agencies;

(b) to conduct demonstrational projects within the district on lands, owned or controlled by this state or any of its agencies, with the cooperation of the agency administering and having jurisdiction thereof, and on any other lands within the district upon obtaining the consent of the occupier of such lands or the necessary rights or interests in such lands, in order to demonstrate by example the means, methods; and measures by which soil and soil resources may be conserved, and soil erosion in the form of soil blowing and soil washing may be prevented and controlled; and to demonstrate by example, the means, methods; and measures by which water and water resources may be conserved, developed, used and disposed of to alleviate ~~drouth~~ drought, to maintain and improve water quality and to reduce flooding and impaired drainage;

(c) to carry out preventive and control measures within the district including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, changes in use of land; and the measures listed in subsection C of K.S.A. 2-1902, and amendments thereto, on lands owned or controlled by this state or any of its agencies, with the cooperation of the agency administering and having jurisdiction thereof, and on any other lands within the district upon obtaining the consent of the occupier of such lands or the necessary rights or interests in such lands;

(d) to cooperate; or enter into agreements with, and within the limitations of appropriations duly made available to it by law, to furnish financial or other aid to, any agency, governmental or otherwise, or any occupier of lands within the district, in the carrying on of erosion-control flood prevention, soil and grassland health initiatives, water quality and water management operations within the district, subject to such conditions as the supervisors may deem necessary to advance the purposes of this act;

(e) to obtain options upon and to acquire, by purchase, exchange, lease, gift, grant, bequest, devise; or otherwise, any property, real or personal, or rights or interest therein; to maintain, administer; and improve any properties acquired, to receive income from such properties and to expend such income in carrying out the purposes and provisions of this act; and to sell, lease; or otherwise dispose of any of its property or interests therein in furtherance of the purposes and the provisions of this act;

(f) to make available, on such terms as it shall prescribe, to land occupiers within the district, agricultural and engineering machinery and equipment, fertilizer, seeds; and seedlings, and such other material or equipment, as will assist such land occupiers to carry on operations upon their lands for the conservation of soil resources, soil and grassland health, protection of water quality and for the prevention and control of soil erosion;

(g) to develop comprehensive plans for the conservation of soil and water resources and for the control and prevention of soil erosion, flood damages, impaired drainage, the effects of ~~drouth~~ drought within the district and the maintenance and improvement of water quality, ~~which with such plans shall specify~~ specifying in such detail as may be possible, the acts, procedures, performances; and avoidances ~~which that~~ are necessary

or desirable for the effectuation of such plans, including the specification of engineering operations, methods of cultivation, the growing of vegetation, cropping programs, tillage practices; and changes in use of land, and to publish such plans and information and bring them to the attention of occupiers of lands within the district;

(h) to take over, by purchase, lease, gift or otherwise donation, and to administer, any soil-conservation, erosion-control, ~~or soil and grassland health~~, erosion-prevention, flood prevention, water quality or water management project located within its boundaries undertaken by the United States or any of its agencies, or by this state or any of its agencies subject to the authority of the authorizing state or federal agency; to manage, as agent of the United States or any of its agencies, or of this state or any of its agencies, any soil-conservation, erosion-control, or erosion-prevention, flood prevention or water management project within its boundaries; to act for the district or as agent for the United States, or any of its agencies, or for this state or any of its agencies, in connection with the acquisition, construction, operation, maintenance, or administration of any soil-conservation, erosion-control, ~~or soil and grassland health~~, erosion-prevention, flood prevention, water quality or water management project within its boundaries; to accept donations, gifts; and contributions in money, services, materials; or otherwise, from the United States or any of its agencies, or from this state or any of its agencies, and from persons, firms, corporations or associations, and to use or expend such moneys, services, materials; or other contributions in carrying on its operations;

(i) to sue and be sued in the name of the district; to have a seal, which seal shall be judicially noticed; to have perpetual succession unless terminated as hereinafter provided; to make and execute contracts and other instruments, necessary or convenient to the exercise of its powers; to make, and from time to time amend and repeal, rules and regulations not inconsistent with this act, to carry into effect its purposes and powers;

(j) as a condition to the extending of any benefits under this act, to or the performance of work upon, any lands not owned or controlled by this state or any of its agencies, the supervisors may require contributions in money, services, materials; or otherwise to any operations conferring such benefits, and may require land occupiers to enter into and perform such agreements or covenants as to the permanent use of such lands as will tend to prevent or control erosion thereon;

(k) no provisions with respect to the acquisition, operation; or disposition of property by other public bodies shall be applicable to a district organized hereunder unless the legislature shall specifically so state;

(l) the supervisors of any district shall not contract debts or obligations in the name of the district beyond the current appropriation made available to the district by the ~~committee~~ division or federal grants or other financial sources;

(m) to accept and expend funds donated to the district for purposes of providing at least 20% cost-share for the purchase of an eligible water right from the holder of the water right under the provisions of K.S.A. 2-1915, and amendments thereto; and

(n) to control ~~and eradicate sericea lespedeza~~ invasive species within the district ~~in any county that the secretary of agriculture has designated as a sericea lespedeza disaster area.~~

Sec. 8. K.S.A. 2020 Supp. 2-1915 is hereby amended to read as follows: 2-1915. (a) (1) Appropriations may be made for grants out of funds in the treasury of this state

for;

(A) Terraces, terrace outlets, check dams, dikes, ponds, ditches, critical area planting, grassed waterways, ~~tailwater recovery irrigation systems~~ irrigation technology, precision land forming, range seeding, soil and grassland health, detention and grade stabilization structures and other enduring water conservation and water quality practices installed on public lands and on privately owned lands; and;

(B) ~~the control and eradication of sericea lespedeza as provided in subsection (n) of K.S.A. 2-1908, and amendments thereto,~~ invasive species on public lands and on privately owned lands.

(2) Except as provided by the multipurpose small lakes program act and other programs approved by the secretary, any such grant shall not exceed 80% of the total cost of any such practice.

(b) A program for protection of riparian and wetland areas shall be developed by ~~the Kansas department of agriculture division of conservation~~ and implemented by the conservation districts. The conservation districts shall prepare district programs to address resource management concerns of water quality, erosion and sediment control and wildlife habitat as part of the conservation district long-range and annual work plans. Preparation and implementation of conservation district programs shall be accomplished with assistance from appropriate state and federal agencies involved in resource management.

(c) Subject to the provisions of K.S.A. 2-1919, and amendments thereto, any holder of a water right, as defined by ~~subsection (g) of K.S.A. 82a-701(g),~~ and amendments thereto, who is willing to voluntarily return all or a part of the water right to the state shall be eligible for a grant not to exceed 80% of the total cost of the purchase price for such water right. ~~The Kansas department of agriculture division of conservation~~ shall administer this cost-share program with funds appropriated by the legislature for such purpose. The chief engineer shall certify to ~~the Kansas department of agriculture division of conservation~~ that any water right for which application for cost-share is received under this section is eligible in accordance with the criteria established in K.S.A. 2-1919, and amendments thereto.

(d) (1) Subject to appropriation acts therefor, ~~the Kansas department of agriculture division of conservation~~ shall develop the Kansas water quality buffer initiative for the purpose of restoring riparian areas using best management practices. ~~The executive director of the Kansas department of agriculture division of conservation~~ shall ensure that the initiative is complementary to the federal conservation reserve program and update any applicable standards from time to time as necessary for the continued success of the program.

(2) There is hereby created in the state treasury the Kansas water quality buffer initiative fund. All expenditures from such 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 executive director of the Kansas department of agriculture division of conservation~~ or the executive director's designee. ~~Money~~ Moneys credited to the fund shall be used for the purpose of making grants to install water quality best management practices pursuant to the initiative.

(3) The county or district appraiser shall identify and map riparian buffers consisting of at least one contiguous acre per parcel of real property located in the appraiser's county. Notwithstanding any other provisions of law, riparian buffers shall

be valued by the county or district appraiser as tame grass land, native grass land or waste land, as appropriate. As used in this ~~subsection (3) paragraph~~, "riparian buffer" means an area of stream-side vegetation that: (A) Consists of tame or native grass and may include forbs and woody plants; (B) is located along a perennial or intermittent stream, including the stream bank and adjoining floodplain; and (C) is a minimum of 66 feet wide and a maximum of 180 feet wide.

(e) ~~The Kansas department of agriculture division of conservation, with the approval of the state conservation commission secretary,~~ shall adopt rules and regulations to administer such grant and protection programs. Prior to submission of any proposed rules and regulations of the division to the director of the budget, the secretary of administration and the attorney general in accordance with the rules and regulations filing act, K.S.A. 77-415 et seq., and amendments thereto:

(1) The director shall submit such proposed rules and regulations to the commission; and

(2) the commission shall review and make recommendations to the director and the secretary regarding such proposed rules and regulations.

(f) Any district is authorized to make use of any assistance whatsoever given by the United States, or any agency thereof, or derived from any other source, for the planning and installation of such practices. ~~The Kansas department of agriculture division of conservation~~ may enter into agreements with other state and federal agencies to implement the Kansas water quality buffer initiative.

Sec. 9. K.S.A. 2-1916 is hereby amended to read as follows: 2-1916. At any time after five ~~(5)~~ years after the organization of a district under the provisions of this act, ~~ten percent (10%)~~ of the occupiers of land lying within the boundaries of such district may file a petition with the ~~state soil conservation committee division~~ praying that the operations of the district be terminated and the existence of the district discontinued. ~~The committee division~~ may conduct such public meetings and public hearings upon such petition as may be necessary to assist it in the consideration thereof. Within ~~sixty (60)~~ days after such a petition has been received by the ~~committee it division, the division~~ shall give due notice of the holding of a referendum, and shall supervise such referendum, and issue appropriate regulations governing the conduct thereof, the question to be submitted by ballots upon which the words "For terminating the existence of the \_\_\_\_\_ (name of the soil conservation district to be here inserted)" and "against terminating the existence of the \_\_\_\_\_ (name of the soil conservation district to be here inserted)" shall be printed, with a square before each proposition and a direction to insert an × mark in the square before one or the other of said propositions as the voter may favor or oppose discontinuance of such district. All occupiers of lands lying within the boundaries of the district shall be eligible to vote in such referendum. Only such land occupiers shall be eligible to vote. No informalities in the conduct of such referendum or in any matters relating thereto shall invalidate said referendum or the result thereof if notice thereof shall have been given substantially as herein provided and said referendum shall have been fairly conducted. ~~The committee division~~ shall publish the result of such referendum and shall thereafter consider and determine whether the continued operation of the district within the defined boundaries is administratively practicable and feasible. If the ~~committee division~~ shall determine that the continued operation of such district is administratively practicable and feasible, it shall record such determination and deny the petition. If the ~~committee division~~ shall

determine that the continued operation of such district is not administratively practicable and feasible, it shall record such determination and shall certify such determination to the supervisors of the district. In making such determination, the ~~committee division~~ shall give due regard and weight to the attitudes of the occupiers of lands lying within the district, the number of land occupiers eligible to vote in such referendum who shall have voted, the proportion of the votes in such referendum in favor of the discontinuance of the district to the total number of votes cast, the approximate wealth and income of the land occupiers of the district, the probable expense of carrying on erosion control operations within such district; and such other economic and social factors as may be relevant to such determination, having due regard to the legislative findings set forth in K.S.A. 2-1902-~~Provided, however, and amendments thereto, except that the committee division~~ shall not have authority to determine that the continued operation of the district is administratively practicable and feasible unless a majority of the votes cast in the referendum shall have been cast in favor of the continuance of such district.

Upon receipt from the ~~state soil conservation committee division~~ of certification that the ~~committee division~~ has determined that the continued operation of the district is not administratively practicable and feasible, pursuant to the provisions of this section, the supervisors shall ~~forthwith~~ immediately proceed to terminate the affairs of the district. The supervisors shall dispose of all property belonging to the district at public auction and shall pay over the proceeds of such sale to be covered into the state treasury. The supervisors shall thereupon file an application, duly verified, with the secretary of state for the discontinuance of such district; and shall transmit with such application the certificate of the ~~state soil conservation committee division~~ setting forth the determination of the ~~committee division~~ that the continued operation of such district is not administratively practicable and feasible. The application shall recite that the property of the district has been disposed of and the proceeds paid over as in this section provided, and shall set forth a full accounting of such properties and proceeds of the sale. The secretary of state shall issue to the supervisors a certificate of dissolution and shall record such certificate in an appropriate book of record in ~~his or her~~ the secretary of state's office.

Upon issuance of a certificate of dissolution under the provisions of this section, all ordinances and regulations ~~theretofore~~ adopted and in force within such districts shall be of no further force and effect. All contracts ~~theretofore entered into~~, to which the district or supervisors are parties; shall remain in force and effect for the period provided in such contracts. The ~~state soil conservation committee division~~ shall be substituted for the district or supervisors as party to such contracts. The ~~committee division~~ shall be entitled to all benefits and subject to all liabilities under such contracts and shall have the same right and liability to perform, to require performance, to sue and be sued thereon; and to modify or terminate such contracts by mutual consent or otherwise, as the supervisors of the district would have had. Such dissolution shall not affect the lien of any judgment entered under the provisions of K.S.A. 2-1911, prior to its repeal, nor the pendency of any action instituted under the provisions of such section, and the committee shall succeed to all the rights and obligations of the district or supervisors as to such liens and actions. The state soil conservation committee shall not entertain petitions for the discontinuance of any district nor conduct referenda upon such petitions nor make determinations pursuant to such petitions in accordance with

the provisions of this act, more often than once in five-~~(5)~~ years.

Sec. 10. K.S.A. 2020 Supp. 2-1930 is hereby amended to read as follows: 2-1930.  
(a) As used in this section:

(1) "Division" means the ~~Kansas department of agriculture~~ division of conservation established within the Kansas department of agriculture in K.S.A. 74-5,126, and amendments thereto;

(2) "historic consumptive water use" means an amount of use of a water right as calculated pursuant to subsection (k); and

(3) "program" means the water right transition assistance program.

(b) There is hereby established the water right transition assistance program. The program shall be administered by the ~~Kansas department of agriculture~~ division of ~~conservation~~. The Kansas department of agriculture division of water resources and recognized local governing agencies, including groundwater management districts, shall cooperate in program implementation. The program shall be administered for the purpose of reducing historic consumptive water use in the target or high priority areas of the state by issuing water right transition grants based on competitive bids for privately held water rights.

(c) (1) The division may receive and expend funds from the federal or state government; or a private source for the purpose of carrying out the provisions of this section. The division shall carry over unexpended funds from one fiscal year to the next.

(2) The maximum amount paid by the division shall not exceed a base rate per acre-foot of historic consumptive water use made available under the water right to be dismissed or permanently reduced. The state conservation division, in consultation with the commission, shall establish an annual base rate after considering recommendations from the chief engineer and the groundwater management districts regarding market conditions.

(d) The division may enter into water right transition assistance program contracts with landowners that will result in the permanent reduction of part or all of a landowner's historic consumptive water use by action of the chief engineer as provided for in subsection (f).

(e) All applications for permanent irrigation water right retirements shall be considered for funding. Permanent retirement of partial water rights shall only be approved by the Kansas department of agriculture division of water resources when the local groundwater management district has the metering and monitoring capabilities necessary to ensure compliance with the program.

(f) Applications for permanent water right retirement shall be prioritized for payment based on the following criteria:

(1) The applicant's bid price;

(2) the timing and extent of the impact of the application on aquifer restoration or stream recovery;

(3) the impact on local water management strategies designated by the board of each groundwater management district or by the chief engineer for each target area; and

(4) where rights with similar hydrologic impacts are considered, priority should be given to the senior right as determined under the Kansas water appropriation act.

(g) Water rights enrolled in the program for permanent retirement shall require the written consent of all landowners and authorized agents to voluntarily request permanent reduction or permanent dismissal and forfeiture of priority of the enrolled

water right. Upon enrollment of the water right into the program, the chief engineer of the Kansas department of agriculture division of water resources shall concurrently permanently reduce or permanently dismiss and terminate the water right in accordance with the terms of the contract.

(h) (1) The division shall make water right transition grants available only in areas that have been designated as:

(A) Target areas by the groundwater management districts and the chief engineer of the Kansas department of agriculture division of water resources; or

(B) target areas outside the groundwater management districts by the chief engineer of the Kansas department of agriculture division of water resources.

(2) Each target area shall be in a groundwater aquifer, aquifer sub-unit, surface water basin, subbasin or stream reach that the chief engineer has closed to further appropriations except for domestic use, temporary permits, term permits for five years or less and small-use exemptions for 15 acre-feet or less, if the use, permit or exemption does not conflict with this program.

(3) The designation of each target area shall include the identification of a historic consumptive water use retirement goal. When such goal is reached, the target area ~~will~~ shall be delisted.

(4) The designation of each target area shall include the identification of sub-regions ~~which that~~ are to be prioritized for retirements among competing bids.

(i) Contracts accepted under the program shall result in a net reduction in historic consumptive water use in the target area. Except as provided for in subsections (l) and (m), once a water right transition assistance program grant has been provided, the land authorized to be irrigated by the water right or water rights associated with that grant shall not be irrigated permanently. Water right transition assistance program contracts shall be subject to such terms, conditions and limitations as may be necessary to ensure that such reduction in historic consumptive water use occurs and can be adequately monitored and enforced.

(j) Only vested or certified water rights ~~which that~~ are in good standing shall be eligible for water right retirement grants.

(k) (1) The historic consumptive water use of a water right shall be determined by either:

(A) Calculating the average amount of water consumed by crops as a result of the lawful beneficial use of water during the 10 preceding calendar years of actual irrigation and multiplying the average reported water use for the 10 selected years by a factor of 0.85 for center pivot sprinkler irrigation systems, 0.75 for flood or gravity irrigation systems and 0.95 for subsurface drip irrigation systems, but not to exceed the net irrigation requirements for the 50% chance rainfall for the appropriate county as shown in K.A.R. 5-5-12; or

(B) calculating the available pumping capacity of a water right by multiplying a flow rate test for each point of diversion applied to be retired under the water right by a theoretical pumping duration of 100 days multiplied by an efficiency factor of 0.85 for center pivot sprinkler irrigation systems, 0.75 for flood or gravity irrigation systems and 0.95 for subsurface drop irrigation systems, but not to exceed the authorized quantity of the water right or the net irrigation requirements for the 50% chance rainfall for the appropriate county as shown in K.A.R. 5-5-12. Flow rate tests must have been conducted not less than one year prior to the application date and certified as acceptable

by the local groundwater management district or the chief engineer; or

(2) The applicant may also submit an engineering study that determines the average historic consumptive water use as an alternative method if it is demonstrated to be more accurate for the water right or water rights involved.

(l) Enrollment of an entire water right or a portion of a water right where land associated with the quantity is being permanently reduced from the water right in the program shall not subsequently prohibit irrigation of the land that, prior to enrollment, was authorized by the water right or water rights if irrigation can be lawfully allowed by another water right or permit pursuant to the rules and regulations and consideration of any future changes to other water rights that may be proposed to be transferred to such land.

(m) If more than one water right overlaps the place of use authorized by the water right proposed to be enrolled in the program, then all overlapping water rights shall be enrolled in the program or the landowners shall take the necessary lawful steps to eliminate the overlap with the water right to be enrolled. The burden shall be on the landowner to provide sufficient information to substantiate that the proposed use of water by the resulting exercise of all water rights involved will result in the net reduction amount of historic consumptive water use by the water right or water rights to be enrolled. The division may require such documentation to be provided by someone with special knowledge or experience related to water rights and such operations.

(n) The division shall adopt rules and regulations as necessary for the administration of this section. When adopting such rules and regulations, the division shall consider cropping, system design, metered water use and all other pertinent information that will permit a verifiable reduction in historic consumptive water use and permit alternative crop or other use of the land so that the landowner's economic opportunities are taken into account.

(o) The division shall hold a meeting in each target area designated after July 1, 2012, prior to entering into any water right transition assistance program contract for the permanent retirement of part or all of landowner water rights in such target area. Such meetings shall inform the public of the possible economic and hydrologic impacts of the program. The division shall provide notice of such meetings through publication in local newspapers of record and in the Kansas register.

(p) The provisions of this section shall expire on July 1, 2022.

Sec. 11. K.S.A. 2020 Supp. 2-1931 is hereby amended to read as follows: 2-1931.

(a) Any person who commits any of the following may incur a civil penalty as provided by this section:

(1) Any violation of the Kansas water right transition assistance program act or any rule and regulation adopted thereunder; and

(2) any violation of term, condition or limitation defined and or imposed within the contractual agreement between the ~~Kansas department of agriculture division of conservation~~ and the water right owner.

(b) Any participant who violates any section of a water right transition assistance program contract shall be subject to either one or both of the following:

(1) A civil penalty of not less than \$100 nor more than \$1,000 per violation. Each day shall constitute a separate violation for purposes of this section; and

(2) repayment of the grant amount in its entirety plus a penalty at 6% of the full grant amount.

(c) Any penalties or reimbursements received under this act shall be reappropriated for use in the water right transition assistance program.

(d) No civil penalty or order for repayment shall be imposed except upon the written order of the secretary or the secretary's designee. Such order shall state the violation, the penalty to be imposed and the right of the person to appeal to the secretary. Any person, within 15 calendar days after notification, may make written request to the secretary for a hearing in accordance with the provisions of the Kansas administrative procedure act. The secretary shall affirm, reverse or modify the order and shall specify the reason therefor.

(e) Any person aggrieved by an order of the secretary made under this section may appeal such order to the district court in the manner provided by the Kansas judicial review act.

(f) The provisions of this section shall expire on July 1, 2022.

Sec. 12. K.S.A. 2020 Supp. 2-1933 is hereby amended to read as follows: 2-1933.

(a) As used in this section, "division" means the ~~Kansas department of agriculture~~ division of conservation established within the Kansas department of agriculture in K.S.A. 74-5,126, and amendments thereto.

(b) The division shall administer the conservation reserve enhancement program (CREP) on behalf of the state of Kansas pursuant to agreements with the United States department of agriculture for the purpose of implementing beneficial water quality and water quantity projects concerning targeted watersheds to be enrolled in CREP.

(c) There is hereby established in the state treasury the Kansas conservation reserve enhancement program fund, which shall be administered by the division. All expenditures from the Kansas conservation reserve enhancement program fund shall be for the implementation of CREP pursuant to agreements between the state of Kansas and the United States department of agriculture. All expenditures from such 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 secretary of agriculture or by the secretary's designee.

(d) The division may request the assistance of other state agencies, Kansas state university, local governments and private entities in the implementation of CREP.

(e) The division may receive and expend moneys from the federal or state government or private sources for the purpose of carrying out the provisions of this section. All moneys received 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 Kansas conservation reserve enhancement program fund. The division shall carry over unexpended moneys in the Kansas conservation reserve enhancement program fund from one fiscal year to the next.

(f) The division may enter into cost-share contracts with landowners that will result in fulfilling specific objectives of projects approved in agreements between the United States department of agriculture and the state of Kansas.

(g) The division shall administer all CREPs in Kansas subject to the following criteria:

(1) The aggregate total number of acres enrolled in Kansas in all CREPs shall not exceed 40,000 acres;

(2) the number of acres eligible for enrollment in CREP in Kansas shall be limited

to 1/2 of the number of acres represented by federal contracts in the federal conservation reserve program that have expired in the prior year in counties within the particular CREP area, except that if federal law permits the lands enrolled in the CREP program to be used for agricultural purposes, such as planting agricultural commodities, including, but not limited to, grains, cellulosic or biomass materials, alfalfa, grasses or legumes, but not including cover crops, then the number of acres eligible for enrollment shall be limited to the number of acres represented by contracts in the federal conservation reserve program that have expired in the prior year in counties within the specific CREP area;

(3) no more than 25% of the acreage in CREP may be in any one county, except that the last eligible offer to exceed the number of acres constituting a 25% acreage cap in any one county shall be approved;

(4) no whole-field enrollments shall be accepted into a CREP established for water quality purposes; and

(5) lands enrolled in the federal conservation reserve program as of January 1, 2008, shall not be eligible for enrollment in CREP.

(h) (1) For a CREP established with the purpose of meeting water quantity goals, the division shall administer such CREP in accordance with the following additional criteria:

(A) No water right that is owned by a governmental entity shall be purchased or retired by the state or federal government pursuant to CREP; and

(B) only water rights in good standing are eligible for inclusion under CREP.

(2) To be a water right in good standing:

(A) At least 50% of the maximum annual quantity authorized to be diverted under the water right that has been used in any three years within the most recent five-year period preceding the submission for which irrigation water use reports are approved and made available by the division of water resources of the Kansas department of agriculture;

(B) the water rights used for the acreage in CREP during the most recent five-year period preceding the submission for which irrigation water use reports are approved and made available by the division of water resources; shall not have: (i) Exceeded the maximum annual quantity authorized to be diverted; and (ii) been the subject of enforcement sanctions by the division of water resources; and

(C) the water right holder has submitted the required annual water use report required under K.S.A. 82a-732, and amendments thereto, for each of the most recent 10 years.

(i) (1) The Kansas department of agriculture shall submit a CREP report to the senate committee on agriculture and natural resources and the house committee on agriculture and natural resources at the beginning of each annual regular session of the legislature ~~which shall contain~~ containing a description of program activities for each CREP administered in the state and ~~shall include~~ including:

(A) The acreage enrolled in CREP during fiscal year 2008 through the most current fiscal year to date;

(B) the dollar amounts received and expended for CREP during fiscal year 2008 through the most current fiscal year to date;

(C) an assessment of meeting each of the program objectives identified in the agreement with the farm services agency; and

- (D) such other information specified by the Kansas department of agriculture.
- (2) For a CREP established with the purpose of meeting water quantity goals, the following information shall be included in such annual report:
- (A) The total water rights, measured in acre-feet, retired in CREP from fiscal year 2008 through the current fiscal year to date;
- (B) the change in groundwater water levels in the CREP area during fiscal year 2008 through the most current fiscal year to date;
- (C) the annual amount of water usage in the CREP area from fiscal year 2008 through the most current fiscal year to date; and
- (D) the average water use, measured in acre-feet, for each of the five years preceding enrollment for each water right enrolled.
- (j) The Kansas department of agriculture shall submit a report on the economic impact of each specific CREP to the senate committee on agriculture and natural resources and the house of representatives committee on ~~agriculture and natural resources~~ every five years, beginning in 2017. The report shall include economic impacts to businesses located within each specific CREP region.";

On page 4, following line 29, by inserting:

"Sec. 15. K.S.A. 2020 Supp. 49-603 is hereby amended to read as follows: 49-603. As used in this act:

(a) "Director" means the executive director of the ~~Kansas department of agriculture division of conservation~~ or a designee.

(b) "Affected land" means the area of land from which overburden has been removed or upon which overburden has been deposited, or both, but shall not include crushing areas, stockpile areas or roads.

(c) "Commission" means the conservation program policy board created in K.S.A. 2-1904, and amendments thereto, including the state conservation commission continued in existence by K.S.A. 74-5,128, and amendments thereto.

(d) "Mine" means any underground or surface mine developed and operated for the purpose of extracting rocks, minerals and industrial materials, other than coal, oil and gas. Mine does not include borrow areas created for construction purposes.

(e) "Operator" means any person who engages in surface mining or operation of an underground mine or mines.

(f) "Overburden" means all of the earth and other materials ~~which that~~ lie above the natural deposits of material being mined or to be mined.

(g) "Peak" means a projecting point of overburden removed from its natural position and deposited elsewhere in the process of surface mining.

(h) "Pit" means a tract of land from which overburden has been or is being removed for the purpose of surface mining.

(i) "Ridge" means a lengthened elevation of overburden removed from its natural position and deposited elsewhere in the process of surface mining.

(j) (1) "Surface mining" means the mining of material, except for coal, oil and gas, for sale or for processing or for consumption in the regular operation of a business by removing the overburden lying above natural deposits and mining directly from the natural deposits exposed, or by mining directly from deposits lying exposed in their natural state, or the surface effects of underground mining. Surface mining shall include dredge operations lying outside the high banks of streams and rivers.

(2) Removal of overburden and mining of limited amounts of any materials shall

not be considered surface mining when done only for the purpose and to the extent necessary to determine the location, quantity or quality of the natural deposit, if the materials removed during exploratory excavation or mining are not sold, processed for sale or consumed in the regular operation of a business.

(k) "Topsoil" means the natural medium located at the land surface with favorable characteristics for growth of vegetation, which is normally the A or B, or both, soil horizon layers of the four soil horizons.

(l) "Active site" means a site where surface mining is being conducted.

(m) "Inactive site" means a site where surface mining is not being conducted but where overburden has been disturbed in the past for the purpose of conducting surface mining and an operator anticipates conducting further surface mining operations in the future.

(n) "Materials" means natural deposits of gypsum, clay, stone, sandstone, sand, shale, silt, gravel, volcanic ash or any other minerals of commercial value found on or in the earth with the exception of coal, oil and gas and those located within cut and fill portions of road rights-of-way.

(o) "Reclamation" means the reconditioning of the area of land affected by surface mining to a usable condition for agricultural, recreational or other use.

(p) "Stockpile" means the finished products of the mining of gypsum, clay, shale, stone, sandstone, sand, silt, gravel, volcanic ash or other minerals and removal from its natural position and deposited elsewhere for future use in the normal operation as a business.

(q) "Underground mining" means the extraction of rocks, minerals and industrial materials, other than coal, oil and gas, from the earth by developing entries or shafts from the surface to the seam or deposit before recovering the product by underground extraction methods.

(r) "Person" means any individual, firm, partnership, corporation, government or other entity.

(s) "Division" ~~or "Kansas department of agriculture division of conservation"~~ means the agency division of conservation established by within the Kansas department of agriculture in K.S.A. 74-5,126, and amendments thereto.

(t) "Secretary" means the Kansas secretary of agriculture.

Sec. 16. K.S.A. 49-605 is hereby amended to read as follows: 49-605. (a) No person shall engage in surface mining or operation of an underground mine or mines, as defined by this act, without first obtaining a license from the director.

(b) Licenses shall be issued upon application submitted on a form provided by the director and shall be accompanied by a fee of \$300. Each applicant shall be required to furnish on the form information necessary to identify the applicant. Licenses shall expire one year from the date of issuance and shall be renewed by the director upon application submitted within 30 days prior to the expiration date and accompanied by the renewal fee established by the director under K.S.A. 49-623, and amendments thereto.

(c) A license to mine is only valid when approved by the ~~commission~~ director and acknowledged by a certificate ~~which that~~ has been signed by the director and lists the operator and the assigned license number.

Sec. 17. K.S.A. 2020 Supp. 49-606 is hereby amended to read as follows: 49-606.

(a) The secretary, at the request of the director, ~~with the approval of the commission,~~

may deny issuance or renewal of a license for repeated or willful violation of the provisions of this act or for failure to comply with any provision of a reclamation plan.

(b) ~~The secretary, at the request of the director, with the approval of the commission,~~ may suspend or revoke a license for repeated or willful violation of any of the provisions of this act or for failure to comply with any provision of a reclamation plan. Proceedings for the suspension or revocation of a license pursuant to this section shall be conducted in accordance with the Kansas administrative procedure act by the ~~director~~ secretary or a presiding officer from the office of administrative hearings.

Sec. 18. K.S.A. 49-611 is hereby amended to read as follows: 49-611. (a) An operator authorized under this act to operate a mine, after completion of mining operations and within the time specified in K.S.A. 49-613, and amendments thereto, shall:

(1) Grade affected lands except for impoundments and pit floors to slopes no steeper than one foot vertical rise for each three feet of horizontal distance. Where the original topography of the affected land was steeper than one foot of vertical rise for each three feet of horizontal distance, the affected lands may be graded to blend with the surrounding terrain. The grading of high banks of sand pits and highwalls may be modified or exempted by the director.

(2) Provide for the vegetation of the affected lands, except for impoundments, pit floors, and highwalls, as approved by the director before the release of the bond as provided in K.S.A. 49-616, and amendments thereto.

(b) Notwithstanding subsection (a), overburden piles where disposition has not occurred or will not occur for a period of 12 months shall be stabilized.

(c) Topsoil that is a part of overburden shall not be buried or destroyed in the process of mining.

(d) The director, with concurrence of the ~~commission secretary~~, may grant a variance from the requirements of subsections (a) and (b).

(e) A bond or security posted under this act to assure reclamation of affected lands shall not be released until all reclamation work required by this section has been performed in accordance with the provisions of this act, except when a replacement bond or security is posted by a new operator or responsibility is transferred under K.S.A. 49-610, and amendments thereto.

Sec. 19. K.S.A. 49-613 is hereby amended to read as follows: 49-613. (a) An operator shall reclaim affected lands within a period not to exceed three years after the filing of the report required under ~~subsection (b) of~~ K.S.A. 49-612 (b), and amendments thereto, indicating the mining of any part of a site has been completed.

(b) For certain postmining land uses, such as a sanitary land fill, the director, with the approval of the ~~commission secretary~~, may allow an extended reclamation period.

(c) An operator, upon completion of any reclamation work required by K.S.A. 49-611, and amendments thereto, shall apply to the director in writing for approval of the work. The director, within a reasonable time ~~as determined by the commission~~, shall inspect the completed reclamation work. Upon determination by the director that the operator has satisfactorily completed all required reclamation work on the land included in the application, the ~~commission director~~ shall release the bond or security on the reclaimed land, shall remove the land from registration, and shall terminate or amend, as necessary, the operator's authorization to conduct surface mining on the site.

(d) Periodic inspections may be conducted by the director or the director's

designee; to ensure that the operator is following the reclamation plan.

Sec. 20. K.S.A. 49-618 is hereby amended to read as follows: 49-618. (a) The director or the director's designee, when accompanied by the operator or operator's designee during regular business hours, may inspect any lands on which any operator is authorized to operate a mine for the purpose of determining whether the operator is or has been complying with the provisions of this act.

(b) The director shall give written notice to any operator who violates any of the provisions of this act or any rules and regulations adopted by the director pursuant to this act.

(c) If corrective measures approved by the director are not commenced within 90 days, ~~the violation shall be referred to the commission. The operator shall be notified in writing of the referral.~~ secretary shall, at the request of the director, issue a written order stating the nature of the violation, the penalty to be imposed and the right of the person to appeal to the secretary pursuant to K.S.A. 49-621, and amendments thereto.

Sec. 21. K.S.A. 49-620 is hereby amended to read as follows: 49-620. ~~The attorney general, upon request of the commission,~~ Once an order issued pursuant to this act becomes a final order, the secretary, upon request of the director, shall institute proceedings for forfeiture of the bond posted by an operator to guarantee reclamation of a site where the operator is in violation of any of the provisions of this act or any rule and regulation adopted by the director pursuant to this act. Forfeiture of the operator's bond shall fully satisfy all obligations of the operator to reclaim affected land covered by the bond. The director shall have the power to reclaim, as required by K.S.A. 49-611, and amendments thereto, any surface mined land with respect to which a bond has been forfeited, using the proceeds of the forfeiture to pay for the necessary reclamation work.

Sec. 22. K.S.A. 2020 Supp. 49-621 is hereby amended to read as follows: 49-621.

(a) ~~The director secretary,~~ upon finding that the operator has failed to comply with any provision of this act, any provision of a reclamation plan or any condition of a license or site registration with which the operator is required to comply pursuant to this act, may impose upon the operator a civil penalty not exceeding \$1,000 for each day of noncompliance.

(b) All civil penalties assessed pursuant to this section shall be due and payable within 35 days after written notice of the imposition of a civil penalty has been served upon whom the penalty is being imposed, unless a longer period of time is granted by ~~the director secretary~~ or unless the operator appeals the assessment as provided in this section.

(c) No civil penalty shall be imposed under this section except upon the written order of ~~the director secretary~~ or ~~the director's secretary's~~ designee to the operator upon whom the penalty is to be imposed, stating the nature of the violation, the penalty imposed and the right of the operator upon whom the penalty is imposed to appeal to the director for a hearing on the matter. An operator upon whom a civil penalty has been imposed may appeal, within 15 days after service of the order imposing the civil penalty, to ~~the director secretary~~. If appealed, a hearing shall be conducted in accordance with the provisions of the Kansas administrative procedure act. The decision of ~~the director secretary~~ shall be final unless review is sought under subsection (d).

(d) Any action of ~~the director secretary~~ pursuant to this section is subject to review in accordance with the Kansas judicial review act.

Sec. 23. K.S.A. 49-623 is hereby amended to read as follows: 49-623. (a) The

~~director secretary~~, with the approval of the commission, shall adopt such rules and regulations as necessary to administer and enforce the provisions of this act.

(b) ~~The commission director~~ shall determine annually the amount necessary to carry out and enforce the provisions of this act for the next ensuing fiscal year and shall recommend to the ~~director secretary~~ such license renewal, registration application, registration and registration renewal fees as the ~~commission director~~ determines necessary for that purpose. The director shall adopt such fees by ~~rule rules~~ and ~~regulation regulations~~.

(c) Before the director submits any such proposed rules and regulations to the director of the budget, the secretary of administration and the attorney general in accordance with the rules and regulations filing act, K.S.A. 77-415 et seq., and amendments thereto:

(1) The director shall submit such rules and regulations to the commission; and  
 (2) the commission shall review and make recommendations to the director and the secretary regarding such proposed rules and regulations.

(d) Fees for license renewal, registration and registration renewal shall be based on an operator's acres of affected land or the tonnage of materials extracted by the operator during the preceding license year, or a combination thereof.

~~(d)~~(e) Political subdivisions of the state shall be exempt from all fees imposed under this act.

Sec. 24. K.S.A. 82a-1602 is hereby amended to read as follows: 82a-1602. In order to provide public water supply storage and water related recreational facilities in the state, there is hereby established a multipurpose small lakes program. The program shall be administered by the ~~Kansas department of agriculture division of conservation~~. Except as otherwise provided by this act, the ~~Kansas department of agriculture division of conservation~~, with the approval of the ~~state conservation commission secretary~~, shall adopt all rules and regulations necessary to implement the provisions of this act.

Sec. 25. K.S.A. 82a-1603 is hereby amended to read as follows: 82a-1603. When used in this act:

(a) "Chief engineer" means the chief engineer of the division of water resources of the department of agriculture.

(b) "Class I funded project" means a proposed new project or renovation of an existing project located within the boundaries of an organized watershed district ~~which that~~ is receiving or is eligible to receive financial participation from the ~~Kansas department of agriculture division of conservation~~ for the flood control storage portion of the project.

(c) "Class II funded project" means a proposed new project or renovation of an existing project ~~which that~~ is receiving or is eligible to receive financial participation from the federal government.

(d) "Class III funded project" means a proposed new project or renovation of an existing project located outside the boundaries of an organized watershed district ~~which that~~ is not receiving or is not eligible to receive financial participation from the ~~Kansas department of agriculture division of conservation~~ or the federal government except as provided in K.S.A. 82a-1606, and amendments thereto.

(e) "Division" means the division of conservation established within the Kansas department of agriculture in K.S.A. 74-5,126, and amendments thereto.

(f) "Flood control storage" means storage space in reservoirs to hold flood waters.

(~~f~~)(g) "Future use public water supply storage" means storage space ~~which that~~ the Kansas water office determines will be needed within the next 20 years for use by public water supply users in an area but for which there is no current sponsor.

(~~g~~)(h) "General plan" means a preliminary engineering report describing the characteristics of the project area, the nature and methods of dealing with the soil and water problems within the project area; and the projects proposed to be undertaken by the sponsor within the project area. Such plan shall include: Maps, descriptions and other data as may be necessary for the location, identification and establishment of the character of the work to be undertaken; a cost-benefit analysis of alternatives to the project, including, but not limited to, nonstructural flood control options and water conservation and reuse to reduce need for new water supply storage; and any other data and information as the chief engineer may require.

(~~h~~)(i) "Land right" means real property as that term is defined by the laws of the state of Kansas and all rights thereto and interest therein ~~and shall include~~ includes any road, highway, bridge, street, easement or other right-of-way thereon.

(~~i~~)(j) "Multipurpose small lake project" means a dam and lake containing: (1) Flood control storage; and (2) either public water supply storage or recreation features, or both.

(~~j~~)(k) "Public water supply" means a water supply for municipal, industrial or domestic use.

(~~k~~)(l) "Public water supply storage" means storage of water for municipal, industrial or domestic use.

(~~l~~)(m) "Recreation feature" means water storage and related facilities for activities such as swimming, fishing, boating, camping or other related activities.

(~~m~~)(n) "Renovation" means repair or restoration of an existing lake ~~which that~~ contains water storage space for use as a public water supply and ~~which that~~ has either recreational purposes or flood control purposes, or both.

(~~n~~)(o) "Secretary" means the secretary of the Kansas department of agriculture.

(~~o~~)(p) "Sponsor" means: (1) Any political subdivision of the state ~~which that~~ has the power of taxation and the right of eminent domain; (2) any public wholesale water supply district; or (3) any rural water district.

(~~o~~)(q) "Water user" means any city, rural water district, wholesale water district or any other political subdivision of the state ~~which that~~ is in the business of furnishing municipal or industrial water to the public.

Sec. 26. K.S.A. 82a-1607 is hereby amended to read as follows: 82a-1607. Sponsors shall apply to the ~~state conservation commission~~ division for participation in the multipurpose small lakes program. The review and approval process of the ~~Kansas department of agriculture~~ division of conservation shall be established by rules and regulations ~~which that~~ shall be consistent with the state water plan. Following review, the ~~Kansas department of agriculture~~ division of conservation, with the approval of the ~~state conservation commission~~ secretary, shall request appropriations for specific projects from the legislature. Any funds appropriated to carry out the provisions of this act shall be administered by the ~~Kansas department of agriculture~~ division of conservation.

Sec. 27. K.S.A. 82a-1702 is hereby amended to read as follows: 82a-1702. (a) The state shall provide financial assistance to certain public corporations for part of the costs or reimbursement of part of the costs of installation of water development projects,

~~which that~~ derive general benefits to the state as a whole; or to a section thereof beyond the boundaries of such public corporation.

(b) ~~(1)~~ Any public corporation shall be eligible for state financial assistance for a part of the costs it becomes actually and legally obligated to pay for all lands, easements; and rights-of-way for the water development projects in the event the ~~state~~ Kansas department of agriculture division of conservation ~~commission~~ shall find that:

~~(1)(A)~~ Such public corporation has made application for approval of such financial assistance with the Kansas department of agriculture division of conservation in such form and manner as the Kansas department of agriculture division of conservation may require, which application each public corporation is hereby authorized to make;

~~(2)(B)~~ such works will confer general flood control benefits beyond the boundaries of such public corporation in excess of 20% of the total flood control benefits of the works;

~~(3)(C)~~ such works are consistent with the state water plan;

~~(4)(D)~~ such public corporation will need such financial assistance for actual expenditures within the fiscal year next following; and

~~(5)(E)~~ the legislature has appropriated funds for the payment of such sum.

(2) The payment authorized hereunder shall be limited to an amount equal to the total costs the public corporation shall become actually and legally obligated to spend for lands, easements; and rights-of-way for such water resource development works, multiplied by the ratio that the flood control benefits conferred beyond the boundaries of the public corporation bear to the total flood control benefits of the project. Such findings shall each be made at and in such manner as is provided by procedural rules and regulations ~~which that~~ shall be adopted by the Kansas department of agriculture division of conservation with the approval of the ~~state conservation commission~~ secretary.

(c) Any public corporation receiving financial assistance under this section shall apply those sums toward the satisfaction of the legal obligations for the specific lands, easements; and rights-of-way for which it receives them or toward the reimbursement of those accounts from which those legal obligations were satisfied, in whole or in part, and it shall return to the state any sums that are not in fact so applied. In ascertaining costs of lands, easements; and rights-of-way under this section, the Kansas department of agriculture division of conservation shall not consider any costs ~~which that~~ relate to land treatment measures ~~nor or~~ any costs for which federal aid for construction costs is granted pursuant to the watershed protection and flood prevention acts or pursuant to any other federal acts.";

Also on page 4, in line 30, after the first "K.S.A." by inserting "2-1916,"; also in line 30, after "2-3702" by inserting ", 49-605, 49-611, 49-613, 49-618, 49-620, 49-623, 82a-1602, 82a-1603, 82a-1607 and 82a-1702"; also in line 30, after "Supp." by inserting "2-1903, 2-1904, 2-1907, 2-1907c, 2-1908, 2-1915, 2-1930, 2-1931, 2-1933,"; also in line 30, after "2-3708" by inserting ", 49-603, 49-606 and 49-621";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the second semicolon by inserting "the Kansas department of agriculture division of conservation; implementing the provisions of 2011 executive reorganization order No. 40;"; in line 5, after the first "K.S.A." by inserting "2-1916,"; also in line 5, after "2-3702" by inserting ", 49-605, 49-611, 49-613, 49-618, 49-620, 49-623, 82a-1602, 82a-1603, 82a-1607 and 82a-1702"; also in line 5, after

"Supp." by inserting "2-1903, 2-1904, 2-1907, 2-1907c, 2-1908, 2-1915, 2-1930, 2-1931, 2-1933,"; also in line 5, after "2-3708" by inserting ", 49-603, 49-606 and 49-621";

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

KEN RAHJES  
ERIC SMITH  
SYDNEY CARLIN

*Conferees on part of House*

DAN KERCHEN  
ALICIA STRAUB  
MARY WARE

*Conferees on part of Senate*

On motion of Rep. Rahjes, the conference committee report on **SB 38** was adopted.

On roll call, the vote was: Yeas 120; Nays 3; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodward, Xu.

Nays: Burris, Jacobs, Poetter.

Present but not voting: None.

Absent or not voting: Barker, Howard.

## CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 142** 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, following line 6, by inserting:

"Section 1. K.S.A. 2020 Supp. 32-1005 is hereby amended to read as follows: 32-1005. (a) Commercialization of wildlife is knowingly committing any of the following, except as permitted by statute or rules and regulations:

(1) Capturing, killing or possessing, for profit or commercial purposes, all or any part of any wildlife protected by this section;

(2) selling, bartering, purchasing or offering to sell, barter or purchase, for profit or

commercial purposes, all or any part of any wildlife protected by this section;

(3) shipping, exporting, importing, transporting or carrying; causing to be shipped, exported, imported, transported or carried; or delivering or receiving for shipping, exporting, importing, transporting or carrying all or any part of any wildlife protected by this section, for profit or commercial purposes; or

(4) purchasing, for personal use or consumption, all or any part of any wildlife protected by this section.

(b) The wildlife protected by this section and the minimum value thereof are as follows:

(1) Eagles, \$1,000;

(2) deer or antelope, \$1,000;

(3) elk or buffalo, \$1,500;

(4) furbearing animals, except bobcats, \$25;

(5) bobcats, \$200;

(6) wild turkey, \$200;

(7) owls, hawks, falcons, kites, harriers or ospreys, \$500;

(8) game birds, migratory game birds, resident and migratory nongame birds, game animals and nongame animals, \$50 unless a higher amount is specified above;

(9) fish and mussels, the value for which shall be no less than the value listed for the appropriate fish or mussels species in the monetary values of freshwater fish or mussels and fish kill counting guidelines of the American fisheries society, special publication number ~~30~~ 35;

(10) turtles, \$25 each for unprocessed turtles or \$16 per pound or fraction of a pound for processed turtle parts;

(11) bullfrogs, \$4, whether dressed or not dressed;

(12) any wildlife classified as threatened or endangered, \$500 unless a higher amount is specified above; and

(13) any other wildlife not listed above, \$25.

(c) Possession of wildlife, in whole or in part, captured or killed in violation of law and having an aggregate value of \$1,000 or more, as specified in subsection (b), is prima facie evidence of possession for profit or commercial purposes.

(d) Commercialization of wildlife having an aggregate value of \$1,000 or more, as specified in subsection (b), is a severity level 10, nonperson felony. Commercialization of wildlife having an aggregate value of less than \$1,000, as specified in subsection (b), is a class A nonperson misdemeanor.

(e) In addition to any other penalty provided by law, a court convicting a person of the crime of commercialization of wildlife may:

(1) Confiscate all equipment used in the commission of the crime and may revoke for a period of up to 20 years all licenses and permits issued to the convicted person by the Kansas department of wildlife, parks and tourism; and

(2) order restitution to be paid to the Kansas department of wildlife, parks and tourism for the wildlife taken, ~~which~~. Such restitution shall be in an amount not less than the aggregate value of the wildlife, as specified in subsection (b).

(f) The provisions of this section shall apply only to wildlife illegally harvested and possessed by any person having actual knowledge that such wildlife was illegally harvested.";

Also on page 1, in line 19, by striking "is" and inserting "and K.S.A. 2020 Supp. 32-

1005 are";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking all after the semicolon; in line 2, by striking all before the semicolon and inserting "updating the reference to the guidelines of the American fisheries society"; in line 4, after "32-1129" by inserting "and K.S.A. 2020 Supp. 32-1005"; also in line 4, by striking "section" and inserting "sections";

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

KEN RAHJES

ERIC SMITH

SYDNEY CARLIN

*Conferees on part of House*

DAN KERCHEN

ALICIA STRAUB

MARY WARE

*Conferees on part of Senate*

On motion of Rep. Rahjes, the conference committee report on **SB 142** was adopted.

On roll call, the vote was: Yeas 109; Nays 14; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohacbosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Bergkamp, Bergquist, Burris, B. Carpenter, Corbet, Ellis, Garber, Houser, Howe, Jacobs, Lee-Hahn, Poetter, Rhiley, Turner.

Present but not voting: None.

Absent or not voting: Barker, Howard.

## CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 143** submits the following report:

The House recedes from all of its amendments to the bill.

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

KEN RAHJES

ERIC SMITH

SYDNEY CARLIN

*Conferees on part of House*

DAN KERCHEN

ALICIA STRAUB

MARY WARE

*Conferees on part of Senate*

On motion of Rep. Rahjes, the conference committee report on **SB 143** was adopted.

On roll call, the vote was: Yeas 115; Nays 8; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Averkamp, Baker, Ballard, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burris, B. Carpenter, Fairchild, Garber, Jacobs, Lee-Hahn, Poetter, Rhiley.

Present but not voting: None.

Absent or not voting: Barker, Howard.

## CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 175** 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, following line 9, by inserting:

"WHEREAS, The Kansas Legislature and the Kansas Supreme Court agree that, for Kansans, children are our state's most valuable resource; and

WHEREAS, The Kansas Supreme Court in Gannon IV found that nearly 25% of all public education students are not performing at grade level and that significant achievement gaps exist between all students and certain subgroups of students; and

WHEREAS, The Kansas Supreme Court acknowledged that certain student subgroups can have their own special achievement challenges; and

WHEREAS, Throughout the Gannon litigation, the Legislature has committed to improving the academic achievement of all students with a particular focus on the students identified by the Court; and

WHEREAS, The Kansas Supreme Court has ruled that the current school finance system provides constitutionally adequate funding and equitable allocation of resources and that the Legislature has substantially complied with the Court's orders expressed in

Gannon VI; and

WHEREAS, Special challenges require special measures and the Legislature remains committed to providing a finance system that is flexible and offers tailored solutions to raise academic achievement, particularly for those students who face special challenges; and

WHEREAS, Education savings accounts that target those students who qualify for at-risk educational services provide an additional way for families to tailor the entire educational experience of the student, as opposed to simply tailoring the schooling of such student; and

WHEREAS, Providing families with the access and means necessary to customize the educational experience of a student will provide families with options to increase the student's academic achievement.

Now, therefore:";

Also on page 1, by striking all in lines 12 through 34;

By striking all on pages 2 through 7;

On page 8, by striking all in lines 1 through 40 and inserting:

"Section 1.

#### DEPARTMENT OF EDUCATION

(a) On the effective date of this act, of the \$3,306,581 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 2(a) of chapter 19 of the 2019 Session Laws of Kansas from the state general fund in the KPERS – employer contributions – non-USDs account (652-00-1000-0100), the sum of \$2,015,931 is hereby lapsed.

(b) On the effective date of this act, of the \$21,247,425 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 2(a) of chapter 19 of the 2019 Session Laws of Kansas from the state general fund in the KPERS – employer contributions – USDs account (652-00-1000-0110), the sum of \$6,869,706 is hereby lapsed.

(c) On the effective date of this act, of the \$12,673,886 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 79(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the mental health intervention team pilot account (652-00-1000-0150), the sum of \$1,215,004 is hereby lapsed.

(d) On the effective date of this act, any unencumbered balance in the education super highway account (652-00-1000-0180) of the state general fund is hereby lapsed.

(e) On the effective date of this act, of the \$5,060,528 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 79(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the school district juvenile detention facilities and Flint Hills job corps center grants account (652-00-1000-0290), the sum of \$782,064 is hereby lapsed.

(f) On the effective date of this act, of the \$360,693 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 79(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the governor's teaching excellence scholarships and awards account (652-00-1000-0770), the sum of \$140,755 is hereby lapsed.

(g) On the effective date of this act, of the \$89,659,017 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 2(a) of chapter 19 of the 2019 Session Laws of Kansas from the state general fund in the state foundation aid account (652-00-1000-0820), the sum of \$18,897,038 is hereby lapsed.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2021, as authorized by section 79 of chapter 5 of the 2020 Session Laws of Kansas, this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to recommend additional compensation in the amount of \$500 to each classroom teacher employed by a board of education in school year 2020-2021 for duties beyond the normal scope related to teaching during a pandemic, including, but not limited to, creation of new lesson plans for remote and distance instruction modes, classroom modifications for social distancing, maintaining sanitary conditions and home visits: *Provided*, That, the boards of education shall review the moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139, the federal consolidated appropriations act, 2021, public law 116-260 or any other federal law that appropriates moneys to the state for aid for coronavirus relief, to determine if such funds may be available for such purpose: *Provided further*, That, for the purposes of this section, "classroom teacher" means any person who holds a certificate to teach and is under contract to teach on a full-time basis by a board of education and any person who is under contract to teach on a full-time basis by a board of education but who does so pursuant to a licensure waiver granted pursuant to rules and regulations of the state department of education, and does not include any superintendent, assistant superintendent, supervisor or principal employed pursuant to K.S.A. 72-1134, and amendments thereto, person who holds a student teaching license, paraprofessional or any other person employed by a board of education.

Sec. 2.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including  
official hospitality) (652-00-1000-0053).....\$14,109,493

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby

reappropriated for fiscal year 2022.

KPERS-school employer  
contributions-non-USDs (652-00-1000-0100).....\$41,853,675

*Provided*, That any unencumbered balance in the KPERS-school employer contributions-non-USDs account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

KPERS-school employer  
contributions-USDs (652-00-1000-0110).....\$537,971,506

*Provided*, That any unencumbered balance in the KPERS-school employer contributions-USDs account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

KPERS layering payment (652-00-1000-0120).....\$6,400,000

KPERS layering payment #2 (652-00-1000-0121).....\$19,400,000

ACT and workkeys assessments  
program (652-00-1000-0140).....\$2,800,000

Mental health intervention  
team pilot (652-00-1000-0150).....\$7,534,722

Education commission of  
the states (652-00-1000-0220).....\$67,700

School safety hotline (652-00-1000-0230).....\$10,000

School district juvenile detention  
facilities and Flint Hills job corps  
center grants (652-00-1000-0290).....\$5,060,528

*Provided*, That any unencumbered balance in the school district juvenile detention facilities and Flint Hills job corps center grants account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-1173, and amendments thereto.

School food assistance (652-00-1000-0320).....\$2,510,486

Mentor teacher (652-00-1000-0440).....\$1,300,000

Educable deaf-blind and severely handicapped  
children's programs aid (652-00-1000-0630).....\$110,000

Special education  
services aid (652-00-1000-0700).....\$512,880,818

*Provided*, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That expenditures shall not be made from the special education services aid account for the provision of instruction for any homebound or hospitalized

child, unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: *And provided further*, That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-3425, and amendments thereto: *And provided further*, That expenditures shall be made from the amount remaining in this account, after deduction of the expenditures specified in the foregoing provisos, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-3422, and amendments thereto.

Supplemental state aid (652-00-1000-0840).....\$2,400,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

School district capital outlay state aid fund.....No limit

Educational technology

coordinator fund (652-00-2157-2157).....No limit

*Provided*, That expenditures shall be made by the above agency for the fiscal year ending June 30, 2022, from the educational technology coordinator fund of the department of education to provide data on the number of school districts served and cost savings for those districts in fiscal year 2022 in order to assess the cost effectiveness of the position of educational technology coordinator.

Communities in schools

program fund (652-00-2221-2400).....No limit

Inservice education workshop

fee fund (652-00-2230-2010).....No limit

*Provided*, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*, That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*, That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

Federal indirect cost

reimbursement fund (652-00-2312-2200).....No limit

Conversion of materials and

equipment fund (652-00-2420-2020).....No limit

School bus safety fund (652-00-2532-2300).....No limit

State safety fund (652-00-2538-2030).....	No limit
<i>Provided, That notwithstanding the provisions of K.S.A. 8-272, and amendments thereto, or any other statute, funds shall be distributed during fiscal year 2022 as soon as moneys are available.</i>	
Motorcycle safety fund (652-00-2633-2050).....	No limit
Teacher and administrator fee fund (652-00-2723-2060).....	No limit
Service clearing fund (652-00-2869-2800).....	No limit
School district capital improvements fund (652-00-2880-2880).....	No limit
<i>Provided, That expenditures from the school district capital improvements fund shall be made only for the payment of general obligation bonds approved by voters under the authority of K.S.A. 72-5457, and amendments thereto.</i>	
Reimbursement for services fund (652-00-3056-3200).....	No limit
ESSA – student support academic enrichment – federal fund (652-00-3113-3113).....	No limit
Educationally deprived children – state operations – federal fund (652-00-3131-3130).....	No limit
Food assistance – federal fund (652-00-3230-3020).....	No limit
Elementary and secondary school aid – federal fund (652-00-3233-3040).....	No limit
Education of handicapped children fund – federal (652-00-3234-3050).....	No limit
Community-based child abuse prevention – federal fund (652-00-3319-7400).....	No limit
TANF children's programs – federal fund (652-00-3323-0531).....	No limit
21 <sup>st</sup> century community learning centers – federal fund (652-00-3519-3890).....	No limit
State assessments – federal fund (652-00-3520-3800).....	No limit
Rural and low-income schools program – federal fund (652-00-3521-3810).....	No limit
Language assistance state grants – federal fund (652-00-3522-3820).....	No limit

State grants for improving teacher quality – federal fund (652-00-3526-3860).....	No limit
State grants for improving teacher quality – federal fund – state operations (652-00-3527-3870).....	No limit
Food assistance – school breakfast program – federal fund (652-00-3529-3490).....	No limit
Food assistance – national school lunch program – federal fund (652-00-3530-3500).....	No limit
Food assistance – child and adult care food program – federal fund (652-00-3531-3510).....	No limit
Elementary and secondary school aid – federal fund – local education agency fund (652-00-3532-3520).....	No limit
Education of handicapped children fund – state operations – federal fund (652-00-3534-3540).....	No limit
Education of handicapped children fund – preschool – federal fund (652-00-3535-3550).....	No limit
Education of handicapped children fund – preschool state operations – federal (652-00-3536-3560).....	No limit
Elementary and secondary school aid – federal fund – migrant education fund (652-00-3537-3570).....	No limit
Elementary and secondary school aid – federal fund – migrant education – state operations (652-00-3538-3580).....	No limit
Vocational education title I – federal fund (652-00-3539-3590).....	No limit
Vocational education title I – federal fund – state operations (652-00-3540-3600).....	No limit
Educational research grants and projects fund (652-00-3592-3070).....	No limit
Coronavirus relief fund – federal fund (652-00-3753).....	No limit
Local school district contribution program	

checkoff fund (652-00-7005-7005).....No limit

*Provided*, That notwithstanding the provisions of K.S.A. 79-3221n, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2022, any moneys in such fund where a taxpayer fails to designate a unified school district on such taxpayer's individual income tax return may be expended by the above agency on educational programming.

Governor's teaching excellence

scholarships program

repayment fund (652-00-7221-7200).....No limit

*Provided*, That all expenditures from the governor's teaching excellence scholarships program repayment fund shall be made in accordance with K.S.A. 72-2166, and amendments thereto: *Provided further*, That each such grant shall be required to be matched on a \$1-for-\$1 basis from nonstate sources: *And provided further*, That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*, That all moneys received by the department of education for repayment of grants made under the governor's teaching excellence scholarships program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the governor's teaching excellence scholarships program repayment fund.

Private donations, gifts, grants and

bequests fund (652-00-7307-5000).....No limit

Family and children

investment fund (652-00-7375).....No limit

State school district

finance fund (652-00-7393).....No limit

Mineral production

education fund (652-00-7669-7669).....No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2022, the following:

Children's cabinet

accountability fund (652-00-2000-2402).....\$375,000

*Provided*, That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

CIF grants (652-00-2000-2408).....\$18,129,848

*Provided*, That any unencumbered balance in the CIF grants account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Quality initiative infants

and toddlers (652-00-2000-2420).....\$500,000

*Provided*, That any unencumbered balance in the quality initiative infants and toddlers account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Early childhood block grant  
autism diagnosis (652-00-2000-2422).....\$50,000

*Provided*, That any unencumbered balance in the early childhood block grant autism diagnosis account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Parent education program (652-00-2000-2510).....\$8,437,635

*Provided*, That any unencumbered balance in the parent education program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount that is equal to not less than 50% of the grant.

Communities aligned in early development  
and education (652-00-2000-2550).....\$1,000,000

Pre-K pilot (652-00-2000-2535).....\$4,200,000

(d) On July 1, 2021, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund (652-00-7375-7900) of the department of education to the communities in schools program fund (652-00-2221-2400) of the department of education.

(e) On March 30, 2022, and June 30, 2022, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$550,000 from the state safety fund (652-00-2538-2030) to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services that are performed on behalf of the department of education by other state agencies that receive appropriations from the state general fund to provide such services.

(f) On July 1, 2021, and quarterly thereafter, the director of accounts and reports shall transfer \$73,750 from the state highway fund of the department of transportation to the school bus safety fund (652-00-2532-2300) of the department of education.

(g) On July 1, 2021, the director of accounts and reports shall transfer an amount certified by the commissioner of education from the motorcycle safety fund (652-00-2633-2050) of the department of education to the motorcycle safety fund (561-00-2366-2360) of the state board of regents: *Provided*, That the amount to be transferred shall be determined by the commissioner of education based on the amounts required to be paid pursuant to K.S.A. 8-272(b)(2), and amendments thereto.

(h) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$70,000 from the USAC E-rate program federal fund (561-00-3920-3920) of the state board of regents to the education technology coordinator fund (652-00-2157-2157) of the department of education.

(i) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2022, the following:

Children's cabinet administration (652-00-7000-7001).....\$260,535

*Provided*, That any unencumbered balance in the children's cabinet administration account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(j) During the fiscal year ending June 30, 2022, the commissioner of education, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2022 from the state general fund for the department of education to another item of appropriation for fiscal year 2022 from the state general fund for the department of education. The commissioner of education shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(k) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2022, the following:

KPERS – school employer  
contribution (652-00-1700-1700).....\$41,143,515

*Provided*, That during the fiscal year ending June 30, 2022, the amount appropriated from the expanded lottery act revenues fund in the KPERS – school employer contribution account (652- 00-1700-1700) for the department of education shall be for the purpose of reducing the unfunded actuarial liability of the Kansas public employees retirement system attributable to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, in accordance with K.S.A. 74-8768, and amendments thereto.

(l) On July 1, 2021, of the \$2,440,966,522 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 80(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the state foundation aid account (652-00-1000-0820), the sum of \$3,344,193 is hereby lapsed.

(m) Notwithstanding the provisions of any other statute, any appropriation act or any other provision of this act, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for

such purpose to provide school safety and security grants: *Provided*, That such expenditures shall not exceed \$5,000,000: *Provided further*, That expenditures shall be made for fiscal year 2022 for disbursements of grant moneys approved by the state board of education for the acquisition and installation of security cameras and any other boards, equipment and services necessary for security monitoring of facilities operated by a school district and for securing doors, windows and any entrances to such facilities: *Provided further*, That all moneys expended for school safety and security grants for fiscal year 2022 shall be matched by the receiving school district on a \$1-for-\$1 basis from other moneys of the district that may be used for such purpose as permitted under federal law: *Provided further*, That if the above agency determines such moneys may not be used for such purposes, expenditures shall not be made and the agency shall send a copy of such determination to the director of the budget and the director of legislative research.

(n) Notwithstanding the provisions of any other statute, any appropriation act or any other provision of this act, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for such purpose for the mental health intervention team pilot program: *Provided*, That such expenditures shall not exceed \$3,924,160: *Provided further*, That if the above agency determines such moneys may not be used for such purposes, expenditures shall not be made and the agency shall send a copy of such determination to the director of the budget and the director of legislative research.

(o) Notwithstanding the provisions of any other statute, any appropriation act or any other provision of this act, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for such purpose for the communities in schools program: *Provided*, That such expenditures shall not exceed \$100,000: *Provided further*, That if the above agency determines such moneys may not be used for such purposes, expenditures shall not be made and the agency shall send a copy of such determination to the director of the budget and the director of legislative research.

(p) Notwithstanding the provisions of any other statute, any appropriation act or

any other provision of this act, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139, the federal consolidated appropriations act, 2021, public law 116-260 or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for such purpose to implement phase 3 of the language assessment program: *Provided, however,* That if the above agency determines such moneys may not be used for such purposes, expenditures shall be made by the above agency from the moneys appropriated from the state general fund or from any other special revenue fund or funds for fiscal year 2022, as authorized by section 80 of chapter 5 of the 2020 Session Laws of Kansas, this or other appropriation act of the 2021 regular session of the legislature to such agency to implement phase 3 of the language assessment program: *Provided further,* That, prior to such implementation, the above agency shall consult with the Kansas children's cabinet and the Kansas state school for the deaf on best practices for such implementation.

Sec. 3.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

State foundation aid (652-00-1000-0820).....	\$2,524,235,833
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*Provided,* That any unencumbered balance in the state foundation aid account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Supplemental state aid (652-00-1000-0840).....	\$534,100,000
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*Provided,* That any unencumbered balance in the supplemental state aid account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

State school district finance fund (652-00-7393).....	No limit
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Mineral production education fund (652-00-7669-7669).....	No limit
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New Sec. 4. (a) Sections 4 through 20, and amendments thereto, shall be known and may be cited as the student empowerment act.

(b) This section shall take effect and be in force from and after July 1, 2021.

New Sec. 5. The legislature hereby declares that the purpose and intent of the

student empowerment act is:

(a) To provide suitable provision for finance of the educational interests of all students in the state through all manner of education that suitably prepares our children to be productive members of our collective workforce and society;

(b) to protect the people's common interest in providing intellectual, educational, vocational and scientific improvement by establishing and maintaining public schools and other forms of education and their related activities that support the legislative goal established in K.S.A. 72-3218, and amendments thereto, by acknowledging the unique individuality and life experiences of each student and by recognizing each student's varied educational, social, emotional and environmental needs;

(c) to highlight the diversity of acquired knowledge needed to become productive members of society, while also recognizing the reality that a policy of "one size fits all" does not ensure that all students will be successful;

(d) to acknowledge that each student must be considered as a unique individual, with different educational supports needed to best function in the changing world; and

(e) to respect and invite parents to be their child's educational opportunity steward from an academic, social, emotional and spiritual perspective that aligns their child with the best educational delivery model and environment.

(f) This section shall take effect and be in force from and after July 1, 2021.

New Sec. 6. As used in sections 4 through 20, and amendments thereto:

(a) "Account" means a student empowerment account.

(b) "BASE aid" means the amount of base aid for student excellence set forth in K.S.A. 72-5132, and amendments thereto, for the immediately preceding school year.

(c) "Eligible student" means a resident of Kansas who has not graduated from high school or obtained a general educational development credential, and who on and after July 1, 2022:

(1) Has been identified by such student's resident school district as eligible to receive at-risk educational program services because such student:

(A) Is or has been determined to be performing below grade level in either English language arts or mathematics;

(B) has a high rate of absenteeism; or

(C) has been identified as eligible to receive at-risk educational program services for any other reason specified by the school district; or

(2) has a student empowerment account established on their behalf pursuant to section 10, and amendments thereto.

(d) "Parent" means a parent, legal guardian, custodian or other person with authority to act on behalf of an eligible student.

(e) "Postsecondary educational institution" means any postsecondary educational institution or any private or out-of-state postsecondary educational institution as such terms are defined in K.S.A. 74-3201b, and amendments thereto.

(f) "Program" means the student empowerment program established under section 7, and amendments thereto.

(g) "Qualified private school" means any nonpublic school that:

(1) Provides education to elementary or secondary students;

(2) is accredited by the state board of education or a national or regional accrediting agency that is recognized by the state board for the purpose of satisfying the teaching performance assessment for professional licensure;

(3) provides instruction in those subjects required by K.S.A. 72-3214, 72-3217 and 72-3235, and amendments thereto; and

(4) is approved by the treasurer pursuant to section 15, and amendments thereto.

(h) "Resident school district" means the school district in which an eligible student is currently or would be enrolled based on such eligible student's residence.

(i) "Treasurer" means the state treasurer or the state treasurer's designee.

(j) This section shall take effect and be in force from and after July 1, 2021.

New Sec. 7. (a) The student empowerment program is hereby established and shall be administered by the treasurer. Except as provided in section 9, and amendments thereto, on and after July 1, 2022, the treasurer shall establish a student empowerment account for each eligible student whose parent satisfies the requirements of this act.

(b) The treasurer shall maintain an explanation of the following information on the treasurer's website and provide a hard copy of such information to any person upon request:

(1) The options for participation in the program as provided in section 11, and amendments thereto;

(2) the allowable uses of moneys in a student empowerment account;

(3) the responsibilities of a parent of an eligible student participating in the program;

(4) the effect of participation in the program by eligible students with an individualized education program (IEP) or an education plan under section 504 of the rehabilitation act of 1973, 29 U.S.C. § 794 (section 504 plan);

(5) the duties of the treasurer;

(6) the procedure for appealing a decision of the treasurer;

(7) the name and telephone number of the treasurer's employee who may be contacted if a parent has questions about the program; and

(8) a list of qualified private schools.

(c) This section shall take effect and be in force from and after July 1, 2021.

New Sec. 8. (a) Whenever a student becomes eligible for the student empowerment program, such student's resident school district shall notify the parent of such student. Such notice shall include an explanation of the basis for such child's eligibility for the program, a copy of the results of the most recently administered state assessment for

English language arts and state assessment for mathematics for such child, the name and telephone number of the school district employee who may be contacted if the parent has questions about the program and the name and telephone number of an employee of both the department of education and the state treasurer's office who may be contacted regarding the program. Such notice shall also include either a written description of the program, including the information described in section 7(b), and amendments thereto, or the website address where such description may be found on the treasurer's website. The school district shall continue to provide such notice each year that the student remains enrolled in the school district and remains eligible for the program.

(b) This section shall take effect and be in force from and after July 1, 2022.

New Sec. 9. (a) For an eligible student to participate in the program, the parent of such eligible student shall enter into a written agreement with the treasurer, in such manner and form as prescribed by the treasurer.

(b) The agreement between the parent of an eligible student and the treasurer shall provide that:

(1) The eligible student shall participate in the program in accordance with section 11, and amendments thereto;

(2) the treasurer shall establish an account for the eligible student in the student empowerment fund established by section 10, and amendments thereto;

(3) the parent shall comply with all requirements and rules and regulations of the program; and

(4) the moneys in the eligible student's account shall only be expended as authorized by the program.

(c) Only one account may be established for each eligible student. A parent acting on behalf of more than one eligible student shall have a separate written agreement for each eligible student.

(d) A written agreement entered pursuant to this act shall expire on July 31 immediately following the date the agreement becomes effective but may be terminated prior to such date pursuant to subsection (e). Each written agreement may be renewed by August 1 upon the written consent of the parent and the treasurer in a manner determined by the treasurer, except that the parent may submit a request to the treasurer for an extension of time for renewal not to exceed 30 days. Failure to renew a written agreement does not preclude renewal of such written agreement in a subsequent year. A written agreement that has been terminated pursuant to subsection (e) shall not be renewed.

(e) (1) A written agreement may be terminated by the treasurer upon a determination that:

(A) Moneys in an account have been used for purposes other than those allowed by the program;

(B) the eligible student no longer satisfies the qualifications of an eligible student;  
or

(C) the eligible student no longer participates in the program in accordance with section 11, and amendments thereto.

(2) A written agreement may be terminated by a parent at any time. To terminate a written agreement, such parent shall notify the treasurer in writing of such termination.

(3) When a written agreement is terminated, the account associated with such agreement shall be deemed inactive, and the treasurer shall close the account in accordance with section 10, and amendments thereto.

(f) If an otherwise eligible student is participating in the tax credit for low income students scholarship program act pursuant to K.S.A. 72-4351 et seq., and amendments thereto, the treasurer:

(1) Shall not enter into a written agreement with the parent on behalf of such student or establish an account on behalf of such student; and

(2) if a written agreement has already been effectuated between the parent of such student and the treasurer, shall close any account that was established on behalf of such student and terminate such written agreement.

(g) This section shall take effect and be in force from and after July 1, 2022.

New Sec. 10. (a) (1) There is hereby established in the state treasury the student empowerment fund to be administered by the treasurer. Moneys in the student empowerment fund shall be expended only for the purposes established in this act. All moneys received pursuant to section 12, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the student empowerment fund.

(2) The director of accounts and reports shall create a procedure for the student empowerment fund to have individual student accounts therein. Each student's accumulated moneys in the student's account shall earn interest based on: (A) The average daily balance of moneys in each student's account for the preceding month; and (B) the net earnings rate of the pooled money investment portfolio for the preceding month. The amount of interest earned shall be added monthly to each student's account in the student empowerment fund.

(b) Upon execution of an agreement in accordance with section 9, and amendments thereto, the treasurer shall establish an account in the student empowerment fund in the state treasury in the name of the eligible student. Upon establishment of such account, the treasurer shall notify the resident school district of the establishment of such account for the eligible student.

(c) (1) If the eligible student is enrolled in a qualified private school, the treasurer shall transfer to such eligible student's account in the student empowerment fund an aggregate annual amount equal to the BASE aid.

(2) If the eligible student continues to be enrolled in such student's resident school district part-time, the treasurer shall transfer to such eligible student's account in the student empowerment fund an aggregate annual amount equal to that portion of the BASE aid that is inversely proportional to the amount of time such student is enrolled in such student's resident school district.

(d) The treasurer shall make transfers required under subsection (c) in quarterly installments pursuant to a schedule determined by the treasurer.

(e) The treasurer may deduct a percentage of the aggregate annual amount to be transferred into an eligible student's account as reimbursement for the administrative costs of implementing the provisions of this act as follows:

(1) Up to 5% each year for the first two years moneys are transferred to an eligible student's account; and

(2) up to 2.5% for the third year and for each subsequent year moneys are transferred to an eligible student's account.

(f) No transfers shall be made to an eligible student's account after such student has graduated from high school.

(g) (1) Each account shall remain active until:

(A) A written agreement is terminated pursuant to section 9, and amendments thereto;

(B) July 31 following the date on which the eligible student graduates from high school; or

(C) there are two consecutive years of nonrenewal of an agreement.

(2) If the treasurer determines an account is inactive, the treasurer shall close the account and certify the amount of moneys remaining in the account to the director of accounts and reports. Such certified amount shall remain in the student empowerment fund.

(h) The treasurer shall contract with a third party pursuant to competitive bids for a system for payment of services by participating parents by electronic funds transfer. Such system shall not require parents to be reimbursed for allowable expenses. All electronic funds transfers shall only be for expenditures approved by the treasurer.

(i) This section shall take effect and be in force from and after July 1, 2022.

New Sec. 11. (a) An eligible student whose parent has entered into an agreement with the treasurer in accordance with section 9, and amendments thereto, shall participate in the program by:

(1) Continuing part-time enrollment in such student's resident school district and receiving additional educational services as allowed under the program; or

(2) enrolling in a qualified private school.

(b) Each year, the parent of a student participating in the program shall report to the treasurer whether such student is enrolled in such student's resident school district and, if so, the number of hours such student is attending.

(c) This section shall take effect and be in force from and after July 1, 2022.

New Sec. 12. (a) On or before August 1 of each year, the treasurer shall determine the amount to be transferred to the student empowerment fund by:

(1) Multiplying an amount equal to the BASE aid by the total number of eligible

students participating in the program, who are enrolled in a qualified private school;

(2) for each eligible student participating in the program who is enrolled part-time in a school district, multiplying an amount equal to the BASE aid by a ratio that is the inverse proportion of the amount of time each such student is enrolled and attending public school;

(3) adding together the amounts determined under paragraph (2) for all such students; and

(4) adding the total amounts determined under paragraphs (1) and (3). The resulting sum is the amount to be transferred to the student empowerment fund.

(b) The treasurer shall certify the resulting amounts to the director of accounts and reports. Upon receipt of such certification, the director shall transfer such certified amount from the state general fund to the student empowerment fund established in section 10, and amendments thereto.

(c) This section shall take effect and be in force from and after July 1, 2022.

New Sec. 13. (a) Moneys in the eligible student's account may be accessed by such eligible student's parent but shall only be expended by such parent for the following purposes:

- (1) Tuition and fees charged by a qualified private school;
- (2) textbooks and other supplies required by a qualified private school;
- (3) fees for transportation provided by a qualified private school that is required for the eligible student to travel to and from such qualified private school;
- (4) educational therapies or services provided by a licensed or accredited education provider;
- (5) tutoring services provided by a certified tutor;
- (6) curriculum materials;
- (7) tuition or fees charged by an accredited private online learning program;
- (8) fees for any nationally standardized norm-referenced achievement test, advanced placement examination or other examination related to admission to a postsecondary educational institution;
- (9) services, programs, activities, classes or any other resources or programs provided or contracted by a school district;
- (10) tuition and fees charged by a postsecondary educational institution; and
- (11) any other education expenses approved by the treasurer.

(b) The treasurer shall notify the parent of any expenditures from an eligible student's account that do not meet the requirements of subsection (a). Such parent shall repay the cost of any such expenditures within 30 days of notification by the treasurer.

(c) Except as provided in section 10, and amendments thereto, funds remaining in an account at the end of a school year shall roll over to the next succeeding school year.

(d) A qualified private school providing education services purchased with funds

from an account shall not share, refund or rebate any portion of such funds to the parent or eligible student. Any such refund or rebate shall be made directly into the eligible student's account.

(e) No personal deposits may be made into an account.

(f) The treasurer shall conduct or contract to conduct annual audits of eligible student accounts to ensure compliance with the provisions of this act and may conduct or contract to conduct additional audits of eligible student accounts, as needed.

(g) If the treasurer determines moneys in an account have been used for purposes other than those allowed by subsection (a), the treasurer may:

(1) Prohibit expenditures from the account until such time as determined by the treasurer;

(2) prorate amounts to be deposited in such account under section 10, and amendments thereto, by an amount equal to the total amount used for purposes other than those allowed by subsection (a); or

(3) terminate the account.

(h) This section shall take effect and be in force from and after July 1, 2022.

New Sec. 14. (a) On or before August 1, 2023, and each year thereafter, the treasurer shall certify to the state board of education the names of the students participating in the student empowerment program, the resident school district of each such student and the qualified private school, if any, each such student is attending in the current school year.

(b) (1) On or before September 1, 2022, and each year thereafter, the state board shall determine the adjusted weightings funding amount in accordance with paragraph (2) and shall certify the amount so determined to the director of accounts and reports. At the same time as such certification is transmitted to the director of accounts and reports, the state board shall transmit a copy of such certification to the director of the budget and the director of legislative research. Upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified, and such amount is appropriated for such fiscal year, from the state general fund to the state foundation aid account of the state general fund of the department of education.

(2) For each eligible student participating in the program who has participated for less than three years, the state board shall determine the amount of such student's resident school district's state foundation aid for the last school year during which such student was enrolled full-time in such district that is attributable to that portion of the following weightings that is directly attributable to such student's enrollment in the district: The low enrollment weighting, high enrollment weighting, bilingual weighting, at-risk student weighting and career technical education weighting. The state board shall then determine the aggregate of such amounts for each resident school district and the resulting sum is the adjusted weightings funding amount.

(c) This section shall take effect and be in force from and after July 1, 2022.

New Sec. 15. (a) To become a qualified private school, an applicant shall submit an application to the treasurer on a form and in a manner prescribed by the treasurer. Such

application shall include proof that the applicant is an accredited private school and provides instruction in those subjects required by K.S.A. 72-3214, 72-3217 and 72-3235, and amendments thereto.

(b) The treasurer shall approve an application or request additional information, as necessary, to prove an applicant meets the criteria to be deemed a qualified private school within 45 days of receiving the application. If the applicant is unable to provide such additional information, the treasurer may deny the application.

(c) The treasurer shall conduct or contract to conduct an audit of a qualified private school, selected at random each year, to determine whether the qualified private school is compliant with the requirements of subsection (a).

(d) (1) The treasurer may revoke a qualified private school's approval, if the treasurer determines the qualified private school:

(A) Has routinely failed to comply with the provisions of this act or applicable rules and regulations; or

(B) has failed to provide any educational services required by law to an eligible student receiving instruction from the school, if the school is accepting payments made from such eligible student's account.

(2) Prior to revoking a qualified private school's approval, the treasurer shall notify such school of an impending revocation and the reason for such revocation. The qualified private school shall have 30 days from the time it was notified to cure the matter identified in the notice. If the qualified private school fails to cure such matter within 30 days, such school's approval shall be revoked. A qualified private school whose approval has been revoked shall not be allowed to participate in the program until such time the treasurer determines such school is in compliance with the requirements of this act.

(3) If the treasurer revokes a qualified private school's approval, the treasurer shall immediately notify each parent of an eligible student participating in the program and receiving instruction from such school.

(e) The treasurer may notify the attorney general or the county or district attorney of the county where the qualified private school is located, if a qualified private school's approval was revoked because of misuse of moneys paid from an account.

(f) This section shall take effect and be in force from and after July 1, 2022.

New Sec. 16. (a) Enrollment of an eligible student in a qualified private school shall be considered a parental placement of such student under the individuals with disabilities education act, 20 U.S.C. § 1400 et seq.

(b) This section shall take effect and be in force from and after July 1, 2022.

New Sec. 17. (a) On or before December 31, 2022, and each December 31 thereafter, the treasurer shall prepare and submit a report on the student empowerment program to the state board of education. The report shall include, but is not limited to, the following information for the immediately preceding school year:

(1) The total number of students participating in the program;

- (2) the number of participating students enrolled on a part-time basis in a school district and the average number of hours such students attended public school;
- (3) the number of participating students enrolled in a qualified private school;
- (4) the number of qualified private schools;
- (5) the results of any audits conducted or contracted for by the treasurer; and
- (6) the total cost to administer the program.

(b) On or before January 15, 2023, and each January 15 thereafter, the state board of education shall prepare and submit a report on the student empowerment program to the governor and the legislature. The report shall include, but is not limited to, the treasurer's report submitted pursuant to subsection (a) and the state foundation aid adjustments determined by the state board pursuant to section 14, and amendments thereto, for each school district for the immediately preceding school year.

(c) This section shall take effect and be in force from and after July 1, 2022.

New Sec. 18. (a) The treasurer's actions under this act shall be subject to the Kansas administrative procedure act and reviewable under the Kansas judicial review act. Any parent of a participating student or qualified private school aggrieved by a decision of the treasurer may appeal such decision in accordance with such acts.

(b) This section shall take effect and be in force from and after July 1, 2022.

New Sec. 19. (a) On or before January 1, 2022, the treasurer shall adopt rules and regulations necessary to carry out the provisions of this act.

(b) This section shall take effect and be in force from and after July 1, 2021.

New Sec. 20. (a) Nothing in the student empowerment act shall be deemed to limit the independence or autonomy of a qualified private school or to make the actions of a qualified private school the actions of the state government.

(b) This section shall take effect and be in force from and after July 1, 2022.

New Sec. 21. (a) Except as provided in subsection (h), commencing in the 2021-2022 school year, a student enrolled in a school district shall be deemed a remotely enrolled student in the current school year if such student attended school as a full-time equivalent student through remote learning:

(1) During a state of disaster emergency declared under K.S.A. 48-924, and amendments thereto, for more than a total of 240 school term hours during the school year, regardless of whether the state of disaster emergency continued beyond such time period; or

(2) for more than a total of 40 school term hours during the school year if no state of disaster emergency has been declared under K.S.A. 48-924, and amendments thereto.

(b) For the purposes of calculating a student's total school term hours pursuant to subsection (a), school term hours shall be counted for each day instruction is provided to the student through remote learning.

(c) On or before June 30 of each school year:

(1) A school district that offers remote learning shall determine the remote enrollment of the district based on the number of students remotely enrolled in accordance with this section;

(2) the clerk or superintendent of each school district shall certify under oath to the state board a report showing the remote enrollment of the school district determined pursuant to this section by the grades maintained in the schools of the school district. The state board shall examine such reports upon receipt, and if the state board finds any errors in any such report, the state board shall consult with the school district officer furnishing the report and make any necessary corrections in the report; and

(3) the state board shall determine the number of students who were included in the remote enrollment of each school district and recompute the enrollment of the school district as required pursuant to this section.

(d) A school district that offers remote learning and is determined to have remotely enrolled students pursuant to this section shall receive remote enrollment state aid. The state board shall determine the amount of remote enrollment state aid a school district is to receive by multiplying the remote enrollment of the school district by \$5,000. No remote enrollment state aid shall be provided for any student who participates in remote learning on a part-time basis during the school day.

(e) The state board shall notify each school district of the amount of remote enrollment state aid the district shall receive pursuant to this section and, pursuant to K.S.A. 72-5136, and amendments thereto, shall:

(1) Require the district to remit any such amount of overpayment made to the district in the current school year; or

(2) deduct the excess amounts paid to the district from future payments made to the school district.

(f) If a student is included in the remote enrollment of a district pursuant to this section, such student shall not be included in the adjusted enrollment of the district in the current school year.

(g) Each school district that determines remote enrollment pursuant to this section shall submit any documentation or information that may be required by the state board.

(h) This section shall not apply to any school district that, due to a disaster, is granted a waiver by the state board of education from the requirements of law relating to the remote learning limitations imposed pursuant to K.S.A. 72-3115, and amendments thereto. Any school district that is granted such waiver shall not be required to determine remote enrollment pursuant to this section and shall determine the district's enrollment as provided in K.S.A. 72-5132, and amendments thereto.

(i) This section shall be a part of and supplemental to the Kansas school equity and enhancement act.

(j) This section shall take effect and be in force from and after July 1, 2021.

New Sec. 22. (a) A student shall be identified as eligible to receive at-risk programs and services if the student meets one or more of the following criteria:

(1) Is not working on academic grade level;

- (2) is not meeting the requirements necessary for promotion to the next grade or is failing subjects or courses of study;
  - (3) is not meeting the requirements necessary for graduation from high school or has the potential to drop out of school;
  - (4) has insufficient mastery of skills or is not meeting state standards;
  - (5) has been retained;
  - (6) has a high rate of absenteeism;
  - (7) has repeated suspensions or expulsions from school;
  - (8) is homeless or migrant;
  - (9) is identified as an English language learner;
  - (10) has social-emotional needs that cause the student to be unsuccessful in school;
- or
- (11) is identified as a student with dyslexia.

(b) This section shall be a part of and supplemental to the Kansas school equity and enhancement act.

(c) This section shall take effect and be in force from and after July 1, 2021.

Sec. 23. On and after July 1, 2021, K.S.A. 72-1163 is hereby amended to read as follows: 72-1163. (a) Each year the board of education of a school district shall conduct an assessment of the educational needs of each attendance center in the district. Information obtained from such needs-assessment shall be used by the board when preparing the budget of the school district to ensure improvement in student academic performance. The budget of the school district shall allocate sufficient moneys in a manner reasonably calculated such that all students may achieve the goal set forth in K.S.A. 72-3218(c), and amendments thereto. The board also shall prepare a summary of the budget for the school district. The budgets and summary shall be in the form prescribed by the director pursuant to K.S.A. 79-2926, and amendments thereto.

(b) The budgets and the summary of the proposed budget shall be on file at the administrative offices of the school district. Copies of such budgets and summary shall be available upon request.

(c) The notice required to be published by K.S.A. 79-2929, and amendments thereto, shall include a statement that the budgets and the summary of the proposed budget is on file at the administrative offices of the district and that copies of such budgets and summary are available upon request.

Sec. 24. On and after July 1, 2021, K.S.A. 72-3115 is hereby amended to read as follows: 72-3115. (a) (1) Subject to the ~~other~~ provisions of this section, a school term during which public school shall be maintained in each school year by each school district organized under the laws of this state shall consist of not less than 186 school days for ~~pupils~~ students attending kindergarten or any of the grades one through 11 and not less than 181 school days for ~~pupils~~ students attending grade 12.

(2) Except as provided in subsection (j), the days of the school term during which school shall be maintained pursuant to this section only include days that allow each student enrolled in a school district to physically attend school in person on a full-time

basis.

(b) ~~(1)~~ Subject to a policy developed and adopted by the board of any school district ~~and the provisions of this section~~, the board may provide for a school term consisting of school hours. A school term provided for in a policy adopted under this subsection shall consist of: ~~(1) (A)~~ For ~~pupils~~ students attending kindergarten, not less than 465 school hours in each school year; ~~and (2) (B)~~ for ~~pupils~~ students attending any of the grades one through 11, not less than 1,116 school hours in each school year; and ~~(3) (C)~~ for ~~pupils~~ students attending grade 12, not less than 1,086 school hours in each school year. Each board of education ~~which that~~ develops and adopts a policy providing for a school term in accordance with this subsection shall notify the state board of education thereof on or before September 15 in each school year for which the policy is to be in effect.

(2) Except as provided in subsection (j), if a board provides for a school term pursuant to this subsection, the school hours during which school shall be maintained pursuant to this section only include hours that allow each student enrolled in a school district to physically attend school in person on a full-time basis.

(c) Subject to a plan developed and adopted by the board of any school district, the board may schedule the school days required for a school term provided for under subsection (a), or the school hours required for a school term provided for in a policy adopted under subsection (b), on a trimestral or quarterly basis. Each board of education ~~which that~~ develops and adopts a plan providing for the scheduling of the school days or school hours of the school term on a trimestral or quarterly basis shall submit the plan to the state board of education for approval prior to implementation. The plan shall be prepared in such form and manner as the state board shall require and shall be submitted at a time or times to be determined and specified by the state board.

(d) Subject to a policy developed and adopted by the board of any district as an adjunct to the district's disciplinary policy or as a part of the district's school improvement plan, the board may schedule school days in addition to the school days scheduled for a school term provided for under subsection (a), or school hours in addition to the school hours scheduled for a school term provided for in a policy adopted under subsection (b), or both such additional school days and school hours for ~~pupils~~ students who are in need of remedial education or who are subject to disciplinary measures imposed under the district's disciplinary policy. Any school day or school hour scheduled for a ~~pupil student~~ under a policy adopted under this subsection may be scheduled on weekends, before or after regular school hours, and during the summer months. Inexcusable absence from school on any school day or during any school hour by any ~~pupil student~~ for whom additional school days or school hours have been scheduled under a policy adopted under this subsection shall be counted as an inexcusable absence from school for the purposes of K.S.A. 72-3121, and amendments thereto.

(e) If the board of any school district, or its designee, shall determine that inclement weather will cause hazardous driving conditions, the board, or its designee, may close any or all of the schools within the district. The amount of time ~~pupils~~ students have been in attendance when such determination is made shall be considered a school day of a school term or shall be considered the number of school hours for ~~pupils~~ students to be in attendance at school in a day, whichever is applicable. Consonant with the other provisions of this section, a board may schedule any number of days or hours in excess

of the regularly scheduled school days or school hours ~~which that~~ the board determines will be necessary to compensate for those school days or school hours that schools of the district will remain closed during the school term due to hazardous driving conditions. If the number of days or hours schools remain closed due to hazardous driving conditions exceeds the number of days or hours scheduled by the board to compensate for such school days or school hours, the excess number of days or hours, not to exceed whichever is the lesser of: (1) The number of compensatory days or hours scheduled by the board; or (2) five days or the number of school hours regularly scheduled in five days, that schools remain closed due to such conditions shall be considered school days or school hours.

(f) The state board of education may waive the requirements of law relating to the duration of the school term upon application for such waiver by a school district. Such waiver may be granted by the state board of education upon: (1) Certification by a board that, due to the persistence of inclement weather, hazardous driving conditions have existed in the school district for an inordinate period of time; and (2) a determination by the state board that the school district cannot reasonably adjust its schedule to comply with statutory requirements. Such waiver shall not exempt a school district from providing a school offering for each ~~pupil~~ which student that is substantially equivalent to that required by law.

(g) Time reserved for parent-teacher conferences for discussions on the progress of ~~pupils~~ students may be considered part of the school term.

(h) Time reserved for staff development or inservice training programs for the purpose of improving staff skills, developing competency in new or highly specialized fields, improving instructional techniques, or curriculum planning and study may be considered part of the school term for an aggregate amount of time equal to the amount of time in excess of the school term ~~which that~~ is scheduled by a board of education for similar activities.

(i) Boards of education may employ noncertificated personnel to supervise ~~pupils~~ students for noninstructional activities.

(j) (1) If authorized by the state board of education, a board of education of a school district may:

(A) Provide for not more than a total of 40 days of the school term to be conducted using remote learning if such board of education is operating pursuant to the provisions of subsection (a); or

(B) provide for not more than a total of 240 school term hours to be conducted using remote learning if such board of education is operating pursuant to the provisions of subsection (b).

(2) The state board of education may authorize a school to conduct remote learning in accordance with this section in any school year upon application by a school district. The application may be granted by the state board of education upon:

(A) Certification by a school district that, due to disaster, conditions resulting from widespread or severe property damage caused by the disaster or other conditions restricting the operation of public schools will exist in the school district for an inordinate period of time; and

(B) a determination by the state board that the school district cannot reasonably adjust its schedule to comply with the requirements of this section unless remote learning is conducted for a period of time not to exceed the limitations provided in

paragraph (1) except when such limitations are waived by the state board pursuant to this section.

(3) The state board of education may waive the requirements of law relating to the remote learning limitations in any school year upon application for such waiver by a school district. The waiver may be granted by the state board of education upon:

(A) Certification by a board of education that, due to disaster, conditions resulting from widespread or severe property damage caused by the disaster or other conditions restricting the operation of public schools will exist in the school district for an inordinate period of time; and

(B) a determination by the state board that the school district cannot reasonably adjust its schedule to comply with such requirements of law and that remote learning beyond the limitations provided in this section would allow the school district to continue to provide education to students during such conditions.

(k) As used in this section:

(1) "Disaster" means a state of disaster emergency declared by proclamation of the governor pursuant to K.S.A. 48-924, and amendments thereto, closure of schools by order issued by a county or joint board of health, a local health officer pursuant to K.S.A. 65-119, and amendments thereto, or the secretary of health and environment pursuant to K.S.A. 65-126, and amendments thereto, or occurrence of widespread or severe damage, injury or loss of life or property resulting from any natural or manmade cause, including, but not limited to, fire, flood, earthquake, tornado, wind, storm, epidemics, air contamination, blight, drought, infestation or explosion.

(2) "Remote learning" means a method of providing education in which a student, although regularly enrolled in a school district, does not physically attend the attendance center such student would otherwise attend in person on a full-time basis and curriculum and instruction are prepared, provided and supervised by teachers and staff of such school district so as to approximate the student learning experience that would take place in the attendance center classroom.

Sec. 25. On and after July 1, 2021, K.S.A. 2020 Supp. 72-3117 is hereby amended to read as follows: 72-3117. (a) Except as provided in K.S.A. 72-3115, and amendments thereto, the state board of education may waive the requirements of law relating to the duration of the school term in any school year upon application for such waiver by a school district. The waiver may be granted by the state board of education upon: (1) Certification by a board of education that, due to disaster, conditions resulting from widespread or severe property damage caused by the disaster ~~or other conditions~~ restricting the operation of public schools will exist in the school district for an inordinate period of time; and (2) a determination by the state board that the school district cannot reasonably adjust its schedule to comply with such requirements of law. The period of time school is not maintained during any school year due to conditions resulting from disaster, upon granting of the waiver by the state board of education, shall be considered a part of the school term.

(b) As used in this section, the term "disaster" means ~~the declaration of a state of disaster emergency by the governor pursuant to K.S.A. 48-924, and amendments thereto, closure of schools by order issued by a county or joint board of health, a local health officer pursuant to K.S.A. 65-119, and amendments thereto, or the secretary of health and environment pursuant to K.S.A. 65-126, and amendments thereto, or occurrence of widespread or severe damage, injury or loss of life or property resulting~~

from any natural or manmade cause, including, but not limited to, fire, flood, earthquake, tornado, wind, storm, epidemics, air contamination, blight, drought, infestation or explosion.

Sec. 26. On and after July 1, 2021, K.S.A. 2020 Supp. 72-4352 is hereby amended to read as follows: 72-4352. As used in the tax credit for low income students scholarship program act:

(a) "Contributions" means monetary gifts or donations and in-kind contributions, gifts or donations that have an established market value.

(b) "Department" means the Kansas department of revenue.

(c) "Educational scholarship" means an amount not to exceed \$8,000 per school year provided to an eligible student, or to a qualified school with respect to an eligible student, to cover all or a portion of the costs of education including tuition, fees and expenses of a qualified school and, if applicable, the costs of transportation to a qualified school if provided by such qualified school.

(d) "Eligible student" means a child who:

~~(1) (A) Is an at-risk student, as defined in K.S.A. 72-5132, and amendments thereto, and who is attending a public school; or (B) has been eligible to receive an educational scholarship under this program and has not graduated from high school or reached 21 years of age;~~

~~(2) Resides in Kansas while eligible for an educational scholarship; and~~

~~(3) (A)(2) (A) (i) Is eligible for free or reduced-price meals under the national school lunch act; and~~

~~(ii) (a) was enrolled in any public school in the previous school year in which an educational scholarship is first sought for the child; or~~

~~(b) is eligible to be enrolled in any public school in the school year in which an educational scholarship is first sought for the child and the child is under the age of six years; or~~

~~(B) has received an educational scholarship under the program and has not graduated from high school or reached the age of 21 years.~~

(e) "Parent" includes a guardian, custodian or other person with authority to act on behalf of the child.

(f) "Program" means the tax credit for low income students scholarship program established in K.S.A. 72-4351 through 72-4357, and amendments thereto.

~~(g) "Public school" means an elementary school that is operated by a school district, and identified by the state board as one of the lowest 100 performing elementary schools with respect to student achievement among all elementary schools operated by school districts for the current school year any school operated by a unified school district under the laws of this state.~~

(h) "Qualified school" means any nonpublic school that:

~~(1) Provides education to elementary or secondary students;~~

~~(2) is accredited by the state board or a national or regional accrediting agency that is recognized by the state board for the purpose of satisfying the teaching performance assessment for professional licensure;~~

~~(3) has notified the state board of its intention to participate in the program; and~~

~~(4) complies with the requirements of the program. On and after July 1, 2020, a qualified school shall be accredited by the state board or a national or regional accrediting agency that is recognized by the state board for the purpose of satisfying the~~

teaching performance assessment for professional licensure.

(i) "Scholarship granting organization" means an organization that complies with the requirements of this program and provides educational scholarships to eligible students or to qualified schools in which parents have enrolled eligible students.

(j) "School district" or "district" means any unified school district organized and operating under the laws of this state.

(k) "School year" ~~shall have the meaning ascribed thereto~~ means the same as in K.S.A. 72-5132, and amendments thereto.

(l) "Secretary" means the secretary of revenue.

(m) "State board" means the state board of education.

Sec. 27. On and after July 1, 2021, K.S.A. 2020 Supp. 72-4354 is hereby amended to read as follows: 72-4354. (a) To be eligible to participate in the program, a scholarship granting organization shall comply with the following:

(1) The scholarship granting organization shall notify the secretary and the state board of the scholarship granting organization's intent to provide educational scholarships;

(2) upon granting an educational scholarship, the scholarship granting organization shall report such information to the state board;

(3) the scholarship granting organization shall provide verification to the secretary that the scholarship granting organization is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(4) upon receipt of contributions in an aggregate amount or value in excess of \$50,000 during a school year, a scholarship granting organization shall file with the state board either:

(A) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(B) financial information demonstrating the scholarship granting organization's ability to pay an aggregate amount equal to the amount of the contributions expected to be received during the school year, which must be reviewed and approved of in writing by the state board;

(5) scholarship granting organizations that provide other nonprofit services in addition to providing educational scholarships shall not commingle contributions made under the program with other contributions made to such organization. A scholarship granting organization under this subsection shall also file with the state board, prior to the commencement of each school year, either:

(A) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(B) financial information demonstrating the nonprofit organization's ability to pay an aggregate amount equal to the amount of the contributions expected to be received during the school year, which must be reviewed and approved of in writing by the state board;

(6) each qualified school receiving educational scholarships from the scholarship granting organization shall annually certify to the scholarship granting organization its compliance with the requirements of the program;

(7) at the end of the calendar year, the scholarship granting organization shall have its accounts examined and audited by a certified public accountant. Such audit shall include, but not be limited to, information verifying that the educational scholarships

awarded by the scholarship granting organization were distributed to qualified schools with respect to eligible students determined by the state board under K.S.A. 72-4353(c), and amendments thereto, and information specified in this section. Prior to filing a copy of the audit with the state board, such audit shall be duly verified and certified by a certified public accountant; and

(8) if a scholarship granting organization decides to limit the number or type of qualified schools who will receive educational scholarships, the scholarship granting organization shall provide, in writing, the name or names of those qualified schools to any contributor and the state board.

(b) No scholarship granting organization shall provide an educational scholarship with respect to any eligible student to attend any qualified school with paid staff or paid board members, or relatives thereof, in common with the scholarship granting organization.

(c) The scholarship granting organization shall disburse not less than 90% of contributions received pursuant to the program in the form of educational scholarships within 36 months of receipt of such contributions. If such contributions have not been disbursed within the applicable 36-month time period, then the scholarship granting organization shall not accept new contributions until 90% of the received contributions have been disbursed in the form of educational scholarships. Any income earned from contributions must be disbursed in the form of educational scholarships.

(d) A scholarship granting organization may continue to provide an educational scholarship with respect to a student who was an eligible student in the year immediately preceding the current school year.

(e)-(1) A scholarship granting organization shall direct payments of educational scholarships to the qualified school attended by the eligible student or in which the eligible student is enrolled. Payment may be made by check made payable to both the parent and the qualified school or to only the qualified school. If an eligible student transfers to a new qualified school during a school year, the scholarship granting organization shall direct payment in a prorated amount to the original qualified school and the new qualified school based on the eligible student's attendance. If the eligible student transfers to a public school and enrolls in such public school after September 20 of the current school year, the scholarship granting organization shall direct payment in a prorated amount to the original qualified school and the public school based on the eligible student's attendance. The prorated amount to the public school shall be considered a donation and shall be paid to the school district of such public school in accordance with K.S.A. 72-1142, and amendments thereto.

(2) ~~As used in this subsection, the term "public school" means any school operated by a school district.~~

(f) Each qualified school shall provide a link to the state department of education's webpage where the reports prepared pursuant to K.S.A. 72-5170, and amendments thereto, and K.S.A. 2020 Supp. 72-5178, and amendments thereto, for such school are published. The link shall be prominently displayed on the school's accountability reports webpage.

(g) By June 1 of each year, a scholarship granting organization shall submit a report to the state board for the educational scholarships provided in the immediately preceding 12 months. Such report shall be in a form and manner as prescribed by the state board, approved and signed by a certified public accountant, and shall contain the

following information:

- (1) The name and address of the scholarship granting organization;
- (2) the name and address of each eligible student with respect to whom an educational scholarship was awarded by the scholarship granting organization;
- (3) the total number and total dollar amount of contributions received during the 12-month reporting period; and
- (4) the total number and total dollar amount of educational scholarships awarded during the 12-month reporting period and the total number and total dollar amount of educational scholarships awarded during the 12-month reporting period with respect to eligible students who qualified under K.S.A. 72-4352(d), and amendments thereto.

~~(g)~~(h) No scholarship granting organization shall:

(1) Provide an educational scholarship with respect to an eligible student that is established by funding from any contributions made by any relative of such eligible student; ~~or~~

(2) accept a contribution from any source with the express or implied condition that such contribution be directed toward an educational scholarship for a particular eligible student; or

(3) provide an educational scholarship to an eligible student who is participating in the student empowerment program pursuant to section 4 et seq., and amendments thereto.

Sec. 28. On and after July 1, 2021, K.S.A. 2020 Supp. 72-5131 is hereby amended to read as follows: 72-5131. K.S.A. 72-5131 through 72-5176, and amendments thereto, and K.S.A. 2020 Supp. 72-5178 ~~and~~ 72-5179, and sections 21 and 22, and amendments thereto, shall be known and may be cited as the Kansas school equity and enhancement act.

Sec. 29. On and after July 1, 2021, K.S.A. 2020 Supp. 72-5132 is hereby amended to read as follows: 72-5132. As used in the Kansas school equity and enhancement act, K.S.A. 72-5131 et seq., and amendments thereto:

(a) "Adjusted enrollment" means the enrollment of a school district, excluding the remote enrollment determined pursuant to section 21, and amendments thereto, adjusted by adding the following weightings, if any, to the enrollment of a school district: At-risk student weighting; bilingual weighting; career technical education weighting; high-density at-risk student weighting; high enrollment weighting; low enrollment weighting; school facilities weighting; ancillary school facilities weighting; cost-of-living weighting; special education and related services weighting; and transportation weighting.

(b) "Ancillary school facilities weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5158, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

(c) (1) "At-risk student" means a student who is eligible for free meals under the national school lunch act, and who is enrolled in a school district that maintains an approved at-risk student assistance program.

(2) The term "at-risk student" shall not include any student enrolled in any of the grades one through 12 who is in attendance less than full time, or any student who is over 19 years of age. The provisions of this paragraph shall not apply to any student who has an individualized education program.

(d) "At-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5151(a), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(e) "Base aid for student excellence" or "BASE aid" means an amount appropriated by the legislature in a fiscal year for the designated year. The amount of BASE aid shall be as follows:

- (1) For school year 2018-2019, \$4,165;
- (2) for school year 2019-2020, \$4,436;
- (3) for school year 2020-2021, \$4,569;
- (4) for school year 2021-2022, \$4,706;
- (5) for school year 2022-2023, \$4,846; and
- (6) for school year 2023-2024, and each school year thereafter, the BASE aid shall be the BASE aid amount for the immediately preceding school year plus an amount equal to the average percentage increase in the consumer price index for all urban consumers in the midwest region as published by the bureau of labor statistics of the United States department of labor during the three immediately preceding school years rounded to the nearest whole dollar amount.

(f) "Bilingual weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5150, and amendments thereto, on the basis of costs attributable to the maintenance of bilingual educational programs by such school districts.

(g) "Board" means the board of education of a school district.

(h) "Budget per student" means the general fund budget of a school district divided by the enrollment of the school district.

(i) "Categorical fund" means and includes the following funds of a school district: Adult education fund; adult supplementary education fund; at-risk education fund; bilingual education fund; career and postsecondary education fund; driver training fund; educational excellence grant program fund; extraordinary school program fund; food service fund; parent education program fund; preschool-aged at-risk education fund; professional development fund; special education fund; and summer program fund.

(j) "Cost-of-living weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5159, and amendments thereto, on the basis of costs attributable to the cost of living in such school districts.

(k) "Current school year" means the school year during which state foundation aid is determined by the state board under K.S.A. 72-5134, and amendments thereto.

(l) "Enrollment" means, except as provided in section 21, and amendments thereto:

(1) The number of students regularly enrolled in kindergarten and grades one through 12 in the school district on September 20 of the preceding school year plus the number of preschool-aged at-risk students regularly enrolled in the school district on September 20 of the current school year, except a student who is a foreign exchange student shall not be counted unless such student is regularly enrolled in the school district on September 20 and attending kindergarten or any of the grades one through 12 maintained by the school district for at least one semester or two quarters, or the equivalent thereof.

(2) If the enrollment in a school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school

district in the current school year means the sum of:

(A) The enrollment in the second preceding school year, excluding students under paragraph (2)(B), minus enrollment in the preceding school year of preschool-aged at-risk students, if any, plus enrollment in the current school year of preschool-aged at-risk students, if any; and

(B) the adjusted enrollment in the second preceding school year of any students participating in the tax credit for low income students scholarship program pursuant to K.S.A. 72-4351 et seq., and amendments thereto, in the preceding school year, if any, plus the adjusted enrollment in the preceding school year of preschool-aged at-risk students who are participating in the tax credit for low income students scholarship program pursuant to K.S.A. 72-4351 et seq., and amendments thereto, in the current school year, if any.

(3) For any school district that has a military student, as that term is defined in K.S.A. 72-5139, and amendments thereto, enrolled in such district, and that received federal impact aid for the preceding school year, if the enrollment in such school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means whichever is the greater of:

(A) The enrollment determined under paragraph (2); or

(B) the sum of the enrollment in the preceding school year of preschool-aged at-risk students, if any, and the arithmetic mean of the sum of:

(i) The enrollment of the school district in the preceding school year, minus the enrollment in such school year of preschool-aged at-risk students, if any;

(ii) the enrollment in the second preceding school year, minus the enrollment in such school year of preschool-aged at-risk students, if any; and

(iii) the enrollment in the third preceding school year, minus the enrollment in such school year of preschool-aged at-risk students, if any.

(4) The enrollment determined under paragraph (1), (2) or (3), except if the school district begins to offer kindergarten on a full-time basis in such school year, students regularly enrolled in kindergarten in the school district in the preceding school year shall be counted as one student regardless of actual attendance during such preceding school year.

(m) "February 20" has its usual meaning, except that in any year in which February 20 is not a day on which school is maintained, it means the first day after February 20 on which school is maintained.

(n) "Federal impact aid" means an amount equal to the federally qualified percentage of the amount of moneys a school district receives in the current school year under the provisions of title I of public law 874 and congressional appropriations therefor, excluding amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program. The amount of federal impact aid shall be determined by the state board in accordance with terms and conditions imposed under the provisions of the public law and rules and regulations thereunder.

(o) "General fund" means the fund of a school district from which operating expenses are paid and in which is deposited all amounts of state foundation aid provided under this act, payments under K.S.A. 72-528, and amendments thereto, payments of federal funds made available under the provisions of title I of public law 874, except amounts received for assistance in cases of major disaster and amounts

received under the low-rent housing program and such other moneys as are provided by law.

(p) "General fund budget" means the amount budgeted for operating expenses in the general fund of a school district.

(q) "High-density at-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5151(b), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(r) "High enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5149(b), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

(s) "Juvenile detention facility" means the same as such term is defined in K.S.A. 72-1173, and amendments thereto.

(t) "Local foundation aid" means the sum of the following amounts:

(1) An amount equal to any unexpended and unencumbered balance remaining in the general fund of the school district, except moneys received by the school district and authorized to be expended for the purposes specified in K.S.A. 72-5168, and amendments thereto;

(2) an amount equal to any remaining proceeds from taxes levied under authority of K.S.A. 72-7056 and 72-7072, ~~and amendments thereto~~, prior to their repeal;

(3) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district under the provisions of K.S.A. 72-3123(a), and amendments thereto;

(4) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district pursuant to contracts made and entered into under authority of K.S.A. 72-3125, and amendments thereto;

(5) an amount equal to the amount credited to the general fund in the current school year from moneys distributed in such school year to the school district under the provisions of articles 17 and 34 of chapter 12 of the Kansas Statutes Annotated, and amendments thereto, and under the provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto;

(6) an amount equal to the amount of payments received by the school district under the provisions of K.S.A. 72-3423, and amendments thereto;

(7) an amount equal to the amount of any grant received by the school district under the provisions of K.S.A. 72-3425, and amendments thereto; and

(8) an amount equal to 70% of the federal impact aid of the school district.

(u) "Low enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5149(a), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

(v) "Operating expenses" means the total expenditures and lawful transfers from the general fund of a school district during a school year for all purposes, except expenditures for the purposes specified in K.S.A. 72-5168, and amendments thereto.

(w) "Preceding school year" means the school year immediately before the current school year.

(x) "Preschool-aged at-risk student" means an at-risk student who has attained the age of three years, is under the age of eligibility for attendance at kindergarten, and has been selected by the state board in accordance with guidelines governing the selection of students for participation in head start programs.

(y) "Preschool-aged exceptional children" means exceptional children, except gifted children, who have attained the age of three years but are under the age of eligibility for attendance at kindergarten. The terms "exceptional children" and "gifted children" have the same meaning as those terms are defined in K.S.A. 72-3404, and amendments thereto.

(z) "Psychiatric residential treatment facility" means the same as such term is defined in K.S.A. 72-1173, and amendments thereto.

(aa)(1) "Remote enrollment" means the number of students regularly enrolled in kindergarten and grades one through 12 in the school district who attended school through remote learning for any of the time periods described in section 21, and amendments thereto.

(2) This subsection shall not apply in any school year prior to the 2021-2022 school year.

(bb)(1) "Remote learning" means a method of providing education in which the student, although regularly enrolled in a school district, does not physically attend the attendance center such student would otherwise attend in person on a full-time basis and curriculum and instruction are prepared, provided and supervised by teachers and staff of such school district so as to approximate the student learning experience that would take place in the attendance center classroom.

(2) "Remote learning" does not include virtual school as such term is defined in K.S.A. 72-3712, and amendments thereto.

(3) This subsection shall not apply in any school year prior to the 2021-2022 school year.

(cc) "School district" means a school district organized under the laws of this state that is maintaining public school for a school term in accordance with the provisions of K.S.A. 72-3115, and amendments thereto.

~~(bb)~~(dd) "School facilities weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5156, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

~~(ee)~~(ce) "School year" means the 12-month period ending June 30.

~~(dd)~~(ff) "September 20" has its usual meaning, except that in any year in which September 20 is not a day on which school is maintained, it means the first day after September 20 on which school is maintained.

~~(ee)~~(gg) "Special education and related services weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5157, and amendments thereto, on the basis of costs attributable to the maintenance of special education and related services by such school districts.

~~(ff)~~(hh) "State board" means the state board of education.

~~(gg)~~(ii) "State foundation aid" means the amount of aid distributed to a school district as determined by the state board pursuant to K.S.A. 72-5134, and amendments thereto.

~~(hh)~~(jj) (1) "Student" means any person who is regularly enrolled in a school

district and attending kindergarten or any of the grades one through 12 maintained by the school district or who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 in another school district in accordance with an agreement entered into under authority of K.S.A. 72-13,101, and amendments thereto, or who is regularly enrolled in a school district and attending special education services provided for preschool-aged exceptional children by the school district.

(2) (A) Except as otherwise provided in this subsection, the following shall be counted as one student:

(i) A student in attendance full-time; and  
 (ii) a student enrolled in a school district and attending special education and related services, provided for by the school district.

(B) The following shall be counted as  $\frac{1}{2}$  student:

(i) A student enrolled in a school district and attending special education and related services for preschool-aged exceptional children provided for by the school district; and

(ii) a preschool-aged at-risk student enrolled in a school district and receiving services under an approved at-risk student assistance plan maintained by the school district.

(C) A student in attendance part-time shall be counted as that proportion of one student to the nearest  $\frac{1}{10}$  that the student's attendance bears to full-time attendance.

(D) A student enrolled in and attending an institution of postsecondary education that is authorized under the laws of this state to award academic degrees shall be counted as one student if the student's postsecondary education enrollment and attendance together with the student's attendance in either of the grades 11 or 12 is at least  $\frac{5}{6}$  time, otherwise the student shall be counted as that proportion of one student to the nearest  $\frac{1}{10}$  that the total time of the student's postsecondary education attendance and attendance in grades 11 or 12, as applicable, bears to full-time attendance.

(E) A student enrolled in and attending a technical college, a career technical education program of a community college or other approved career technical education program shall be counted as one student, if the student's career technical education attendance together with the student's attendance in any of grades nine through 12 is at least  $\frac{5}{6}$  time, otherwise the student shall be counted as that proportion of one student to the nearest  $\frac{1}{10}$  that the total time of the student's career technical education attendance and attendance in any of grades nine through 12 bears to full-time attendance.

(F) A student enrolled in a school district and attending a non-virtual school and also attending a virtual school shall be counted as that proportion of one student to the nearest  $\frac{1}{10}$  that the student's attendance at the non-virtual school bears to full-time attendance.

(G) A student enrolled in a school district and attending special education and related services provided for by the school district and also attending a virtual school shall be counted as that proportion of one student to the nearest  $\frac{1}{10}$  that the student's attendance at the non-virtual school bears to full-time attendance.

(H) A student enrolled in a school district and attending school on a part-time basis through remote learning and also attending school in person on a part-time basis shall

be counted as that proportion of one student, to the nearest  $\frac{1}{10}$ , that the student's in-person attendance bears to full-time attendance.

~~(H)~~(I) (i) Except as provided in clause (ii), a student enrolled in a school district who is not a resident of Kansas shall be counted as follows:

- (a) For school year 2018-2019, one student;
  - (b) for school years 2019-2020 and 2020-2021,  $\frac{3}{4}$  of a student; and
  - (c) for school year 2021-2022 and each school year thereafter,  $\frac{1}{2}$  of a student.
- (ii) This subparagraph~~(H)~~ shall not apply to:

(a) A student whose parent or legal guardian is an employee of the school district where such student is enrolled; or

(b) a student who attended public school in Kansas during school year 2016-2017 and who attended public school in Kansas during the immediately preceding school year.

(3) The following shall not be counted as a student:

(A) An individual residing at the Flint Hills job corps center;

(B) except as provided in paragraph (2), an individual confined in and receiving educational services provided for by a school district at a juvenile detention facility; and

(C) an individual enrolled in a school district but housed, maintained and receiving educational services at a state institution or a psychiatric residential treatment facility.

(4) A student enrolled in virtual school pursuant to K.S.A. 72-3711 et seq., and amendments thereto, shall be counted in accordance with the provisions of K.S.A. 72-3715, and amendments thereto.

(5) A student enrolled in a school district who attends school through remote learning shall be counted in accordance with the provisions of this section and section 21, and amendments thereto.

~~(#)~~(kk) "Total foundation aid" means an amount equal to the product obtained by multiplying the BASE aid by the adjusted enrollment of a school district.

~~(j)~~(ll) "Transportation weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5148, and amendments thereto, on the basis of costs attributable to the provision or furnishing of transportation.

~~(kk)~~(mm) "Virtual school" means the same as such term is defined in K.S.A. 72-3712, and amendments thereto.

Sec. 30. On and after July 1, 2021, K.S.A. 72-5134 is hereby amended to read as follows: 72-5134. (a) In each school year, the state board shall determine the amount of state foundation aid for each school district for such school year. The state board shall determine the amount of the school district's local foundation aid for the school year. If the amount of the school district's local foundation aid is greater than the amount of total foundation aid determined for the school district for the school year, the school district shall not receive state foundation aid in any amount. If the amount of the school district's local foundation aid is less than the amount of total foundation aid determined for the school district for the school year, the state board shall subtract the amount of the school district's local foundation aid from the amount of total foundation aid. Subject to the provisions of subsection (b), the remainder is the amount of state foundation aid the school district shall receive for the school year.

(b) For school year 2022-2023 and each school year thereafter, the state board shall adjust the amount of state foundation aid for each school district in accordance with section 14, and amendments thereto.

Sec. 31. On and after July 1, 2021, K.S.A. 72-5151 is hereby amended to read as follows: 72-5151. (a) The at-risk student weighting of each school district shall be determined by the state board as follows:

(1) Determine the number of at-risk students included in the enrollment of the school district; and

(2) multiply the number determined under subsection (a)(1) by 0.484. The resulting sum is the at-risk student weighting of the school district.

~~(b) Except as provided in subsection (b)(4), the high-density at-risk student weighting of each school district shall be determined by the state board as follows:~~

~~(1) (A) If the enrollment of the school district is at least 35% at-risk students, but less than 50% at-risk students:~~

~~(i) Subtract 35% from the percentage of at-risk students included in the enrollment of the school district;~~

~~(ii) multiply the difference determined under subsection (b)(1)(A)(i) by 0.7; and~~

~~(iii) multiply the product determined under subsection (b)(1)(A)(ii) by the number of at-risk students included in the enrollment of the school district; or~~

~~(B) if the enrollment of the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of the school district by 0.105; or~~

~~(2) (A) if the enrollment of a school in the school district is at least 35% at-risk students, but less than 50% at-risk students:~~

~~(i) Subtract 35% from the percentage of at-risk students included in the enrollment of such school;~~

~~(ii) multiply the difference determined under subsection (b)(2)(A)(i) by 0.7; and~~

~~(iii) multiply the product determined under subsection (b)(2)(A)(ii) by the number of at-risk students included in the enrollment of such school; or~~

~~(B) if the enrollment of a school in the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of such school by 0.105; and~~

~~(C) add the products determined under subsections (b)(2)(A)(iii) and (b)(2)(B) for each such school in the school district, respectively.~~

~~(3) The high-density at-risk weighting of the school district shall be the greater of the product determined under subsection (b)(1) or the sum determined under subsection (b)(2)(C).~~

~~(4) Commencing in school year 2018-2019, school districts that qualify to receive the high-density at-risk weighting pursuant to this section shall spend any money attributable to the school district's high-density at-risk weighting on the at-risk best practices developed by the state board pursuant to K.S.A. 72-5153(d), and amendments thereto. If a school district that qualifies for the high-density at-risk weighting does not spend such money on such best practices, the state board shall notify the school district that it shall either spend such money on such best practices or shall show improvement within five years of notification. Improvement shall include, but not be limited to, the following: (A) The percentage of students at grade level on state math and English language arts assessments; (B) the percentage of students that are college and career ready on state math and English language arts assessments; (C) the average composite ACT score; or (D) the four-year graduation rate. If a school district does not spend such money on such best practices and does not show improvement within five years, the~~

school district shall not qualify to receive the high-density at-risk weighting in the succeeding school year.

~~(5) The provisions of this subsection shall expire on July 1, 2020. On and after July 1, 2021, except as provided in subsection (b)(4), the high-density at-risk student weighting of each school district shall be determined by the state board as follows:~~

~~(1) (A) If the enrollment of the school district is at least 35% at-risk students, but less than 50% at-risk students:~~

~~(i) Subtract 35% from the percentage of at-risk students included in the enrollment of the school district;~~

~~(ii) multiply the difference determined under subsection (b)(1)(A)(i) by 0.7; and~~

~~(iii) multiply the product determined under subsection (b)(1)(A)(ii) by the number of at-risk students included in the enrollment of the school district; or~~

~~(B) if the enrollment of the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of the school district by 0.105; or~~

~~(2) (A) if the enrollment of a school in the school district is at least 35% at-risk students, but less than 50% at-risk students:~~

~~(i) Subtract 35% from the percentage of at-risk students included in the enrollment of such school;~~

~~(ii) multiply the difference determined under subsection (b)(2)(A)(i) by 0.7; and~~

~~(iii) multiply the product determined under subsection (b)(2)(A)(ii) by the number of at-risk students included in the enrollment of such school; or~~

~~(B) if the enrollment of a school in the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of such school by 0.105; and~~

~~(C) add the products determined under subsections (b)(2)(A)(iii) and (b)(2)(B) for each such school in the school district, respectively.~~

~~(3) The high-density at-risk weighting of the school district shall be the greater of the product determined under subsection (b)(1) or the sum determined under subsection (b)(2)(C).~~

~~(4) School districts that qualify to receive the high-density at-risk weighting pursuant to this section shall spend any money attributable to the school district's high-density at-risk weighting on the at-risk best practices developed by the state board pursuant to K.S.A. 72-5153(d), and amendments thereto. If a school district that qualifies for the high-density at-risk weighting does not spend such money on such best practices, the state board shall notify the school district that it shall either spend such money on such best practices or shall show improvement within five years of notification. Improvement shall include, but not be limited to, the following: (A) The percentage of students at grade level on state math and English language arts assessments; (B) the percentage of students that are college and career ready on state math and English language arts assessments; (C) the average composite ACT score; or (D) the four-year graduation rate. If a school district does not spend such money on such best practices and does not show improvement within five years, the school district shall not qualify to receive the high-density at-risk weighting in the succeeding school year.~~

~~(5) The provisions of this subsection shall expire on July 1, 2022.~~

Sec. 32. On and after July 1, 2021, K.S.A. 2020 Supp. 72-5178 is hereby amended

to read as follows: 72-5178. (a) On or before January 15 of each year, the state department of education shall prepare and submit a performance accountability report and a longitudinal achievement report for all students enrolled in any public school or accredited nonpublic school in the state, each school district ~~and~~, each school operated by a school district and each accredited nonpublic school to the governor and to the legislature.

(b) Each performance accountability report shall be prepared in a single-page format containing the information that is required to be reported under the federal elementary and secondary education act, as amended by the federal every student succeeds act, public law 114-95, or any successor federal acts, and the college and career readiness metrics developed and implemented by the state board. The report shall use the categories for achievement identified under the federal every student succeeds act, public law 114-95, or any successor achievement categories. All categories and metrics included in the report shall be clearly defined.

(c) Each longitudinal achievement report shall provide the achievement rates on the state assessments for English language arts, math and science for all students and each student subgroup and the change in achievement rate year-over-year starting with the school year in which the state board first implemented new achievement standards on such state assessments.

(d) All reports prepared pursuant to this section shall be published in accordance with K.S.A. 2020 Supp. 72-1181, and amendments thereto.

Sec. 33. On and after July 1, 2021, K.S.A. 79-32,117 is hereby amended to read as follows: 79-32,117. (a) The Kansas adjusted gross income of an individual means such individual's federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) There shall be added to federal adjusted gross income:

(i) Interest income less any related expenses directly incurred in the purchase of state or political subdivision obligations, to the extent that the same is not included in federal adjusted gross income, on obligations of any state or political subdivision thereof, but to the extent that interest income on obligations of this state or a political subdivision thereof issued prior to January 1, 1988, is specifically exempt from income tax under the laws of this state authorizing the issuance of such obligations, it shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income. Interest income on obligations of this state or a political subdivision thereof issued after December 31, 1987, shall be excluded from computation of Kansas adjusted gross income whether or not included in federal adjusted gross income.

(ii) Taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state or any other taxing jurisdiction to the extent deductible in determining federal adjusted gross income and not credited against federal income tax. This paragraph shall not apply to taxes imposed under the provisions of K.S.A. 79-1107 or 79-1108, and amendments thereto, for privilege tax year 1995, and all such years thereafter.

(iii) The federal net operating loss deduction, except that the federal net operating loss deduction shall not be added to an individual's federal adjusted gross income for tax years beginning after December 31, 2016.

(iv) Federal income tax refunds received by the taxpayer if the deduction of the

taxes being refunded resulted in a tax benefit for Kansas income tax purposes during a prior taxable year. Such refunds shall be included in income in the year actually received regardless of the method of accounting used by the taxpayer. For purposes hereof, a tax benefit shall be deemed to have resulted if the amount of the tax had been deducted in determining income subject to a Kansas income tax for a prior year regardless of the rate of taxation applied in such prior year to the Kansas taxable income, but only that portion of the refund shall be included as bears the same proportion to the total refund received as the federal taxes deducted in the year to which such refund is attributable bears to the total federal income taxes paid for such year. For purposes of the foregoing sentence, federal taxes shall be considered to have been deducted only to the extent such deduction does not reduce Kansas taxable income below zero.

(v) The amount of any depreciation deduction or business expense deduction claimed on the taxpayer's federal income tax return for any capital expenditure in making any building or facility accessible to the handicapped, for which expenditure the taxpayer claimed the credit allowed by K.S.A. 79-32,177, and amendments thereto.

(vi) Any amount of designated employee contributions picked up by an employer pursuant to K.S.A. 12-5005, 20-2603, 74-4919 and 74-4965, and amendments thereto.

(vii) The amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 79-32,196, and amendments thereto.

(viii) The amount of any costs incurred for improvements to a swine facility, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,204, and amendments thereto.

(ix) The amount of any ad valorem taxes and assessments paid and the amount of any costs incurred for habitat management or construction and maintenance of improvements on real property, claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,203, and amendments thereto.

(x) Amounts received as nonqualified withdrawals, as defined by K.S.A. 75-643, and amendments thereto, if, at the time of contribution to a family postsecondary education savings account, such amounts were subtracted from the federal adjusted gross income pursuant to K.S.A. 79-32,117(c)(xv), and amendments thereto, or if such amounts are not already included in the federal adjusted gross income.

(xi) The amount of any contribution made to the same extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 74-50,154, and amendments thereto.

(xii) For taxable years commencing after December 31, 2004, amounts received as withdrawals not in accordance with the provisions of K.S.A. 74-50,204, and amendments thereto, if, at the time of contribution to an individual development account, such amounts were subtracted from the federal adjusted gross income pursuant to subsection (c)(xiii), or if such amounts are not already included in the federal adjusted gross income.

(xiii) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,217 through 79-32,220 or 79-32,222, and amendments thereto.

(xiv) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,221, and amendments thereto.

(xv) The amount of any expenditures claimed for deduction in determining federal adjusted gross income, to the extent the same is claimed as the basis for any credit allowed pursuant to K.S.A. 79-32,223 through 79-32,226, 79-32,228 through 79-32,231, 79-32,233 through 79-32,236, 79-32,238 through 79-32,241, 79-32,245 through 79-32,248 or 79-32,251 through 79-32,254, and amendments thereto.

(xvi) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,227, 79-32,232, 79-32,237, 79-32,249, 79-32,250 or 79-32,255, and amendments thereto.

(xvii) The amount of any amortization deduction claimed in determining federal adjusted gross income to the extent the same is claimed for deduction pursuant to K.S.A. 79-32,256, and amendments thereto.

(xviii) For taxable years commencing after December 31, 2006, the amount of any ad valorem or property taxes and assessments paid to a state other than Kansas or local government located in a state other than Kansas by a taxpayer who resides in a state other than Kansas, when the law of such state does not allow a resident of Kansas who earns income in such other state to claim a deduction for ad valorem or property taxes or assessments paid to a political subdivision of the state of Kansas in determining taxable income for income tax purposes in such other state, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xix) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Loss from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) loss from rental real estate, royalties, partnerships, S corporations, except those with wholly owned subsidiaries subject to the Kansas privilege tax, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) farm loss as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent deducted or subtracted in determining the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011, and as revised thereafter by the internal revenue service.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for self-employment taxes under section 164(f) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer, to the extent the deduction is attributable to income reported on schedule C, E or F and on line 12, 17 or 18 of the taxpayer's form 1040 federal income tax return.

(xxi) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for pension, profit sharing, and annuity plans of self-employed individuals under section 62(a)(6) of the federal internal revenue

code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for health insurance under section 162(l) of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any deduction for domestic production activities under section 199 of the federal internal revenue code as in effect on January 1, 2012, and amendments thereto, in determining the federal adjusted gross income of an individual taxpayer.

(xxiv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid for medical care of the taxpayer or the taxpayer's spouse or dependents when such expenses were paid or incurred for an abortion, or for a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2020 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as an itemized deduction for federal income tax purposes.

(xxv) For taxable years commencing after December 31, 2013, that portion of the amount of any expenditure deduction claimed in determining federal adjusted gross income for expenses paid by a taxpayer for health care when such expenses were paid or incurred for abortion coverage, a health benefit plan, as defined in K.S.A. 65-6731, and amendments thereto, when such expenses were paid or incurred for abortion coverage or amounts contributed to health savings accounts for such taxpayer's employees for the purchase of an optional rider for coverage of abortion in accordance with K.S.A. 2020 Supp. 40-2,190, and amendments thereto, to the extent that such taxes and assessments are claimed as a deduction for federal income tax purposes.

(xxvi) For all taxable years beginning after December 31, 2016, the amount of any charitable contribution made to the extent the same is claimed as the basis for the credit allowed pursuant to K.S.A. 72-99a07, and amendments thereto, and is also claimed as an itemized deduction for federal income tax purposes.

(c) There shall be subtracted from federal adjusted gross income:

(i) Interest or dividend income on obligations or securities of any authority, commission or instrumentality of the United States and its possessions less any related expenses directly incurred in the purchase of such obligations or securities, to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(ii) Any amounts received ~~which that~~ are included in federal adjusted gross income but which are specifically exempt from Kansas income taxation under the laws of the state of Kansas.

(iii) The portion of any gain or loss from the sale or other disposition of property having a higher adjusted basis for Kansas income tax purposes than for federal income tax purposes on the date such property was sold or disposed of in a transaction in which gain or loss was recognized for purposes of federal income tax that does not exceed such difference in basis, but if a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to that portion of such gain

~~which that~~ is included in federal adjusted gross income.

(iv) The amount necessary to prevent the taxation under this act of any annuity or other amount of income or gain ~~which that~~ was properly included in income or gain and was taxed under the laws of this state for a taxable year prior to the effective date of this act, as amended, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain.

(v) The amount of any refund or credit for overpayment of taxes on or measured by income or fees or payments in lieu of income taxes imposed by this state, or any taxing jurisdiction, to the extent included in gross income for federal income tax purposes.

(vi) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income.

(vii) Amounts received as annuities under the federal civil service retirement system from the civil service retirement and disability fund and other amounts received as retirement benefits in whatever form ~~which that~~ were earned for being employed by the federal government or for service in the armed forces of the United States.

(viii) Amounts received by retired railroad employees as a supplemental annuity under the provisions of 45 U.S.C. §§ 228b (a) and 228c (a)(1) et seq.

(ix) Amounts received by retired employees of a city and by retired employees of any board of such city as retirement allowances pursuant to K.S.A. 13-14,106, and amendments thereto, or pursuant to any charter ordinance exempting a city from the provisions of K.S.A. 13-14,106, and amendments thereto.

(x) For taxable years beginning after December 31, 1976, the amount of the federal tentative jobs tax credit disallowance under the provisions of 26 U.S.C. § 280 C. For taxable years ending after December 31, 1978, the amount of the targeted jobs tax credit and work incentive credit disallowances under 26 U.S.C. § 280 C.

(xi) For taxable years beginning after December 31, 1986, dividend income on stock issued by Kansas venture capital, inc.

(xii) For taxable years beginning after December 31, 1989, amounts received by retired employees of a board of public utilities as pension and retirement benefits pursuant to K.S.A. 13-1246, 13-1246a and 13-1249, and amendments thereto.

(xiii) For taxable years beginning after December 31, 2004, amounts contributed to and the amount of income earned on contributions deposited to an individual development account under K.S.A. 74-50,201 et seq., and amendments thereto.

(xiv) For all taxable years commencing after December 31, 1996, that portion of any income of a bank organized under the laws of this state or any other state, a national banking association organized under the laws of the United States, an association organized under the savings and loan code of this state or any other state, or a federal savings association organized under the laws of the United States, for which an election as an S corporation under subchapter S of the federal internal revenue code is in effect, ~~which that~~ accrues to the taxpayer who is a stockholder of such corporation and ~~which that~~ is not distributed to the stockholders as dividends of the corporation. For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of modification under this subsection shall exclude the portion of income or loss reported on schedule E and included on line 17 of the taxpayer's form 1040 federal individual income tax return.

(xv) For all taxable years beginning after December 31, 2017, the cumulative

amounts not exceeding \$3,000, or \$6,000 for a married couple filing a joint return, for each designated beneficiary that are contributed to: (1) A family postsecondary education savings account established under the Kansas postsecondary education savings program or a qualified tuition program established and maintained by another state or agency or instrumentality thereof pursuant to section 529 of the internal revenue code of 1986, as amended, for the purpose of paying the qualified higher education expenses of a designated beneficiary; or (2) an achieving a better life experience (ABLE) account established under the Kansas ABLE savings program or a qualified ABLE program established and maintained by another state or agency or instrumentality thereof pursuant to section 529A of the internal revenue code of 1986, as amended, for the purpose of saving private funds to support an individual with a disability. The terms and phrases used in this paragraph shall have the meaning respectively ascribed thereto by the provisions of K.S.A. 75-643 and 75-652, and amendments thereto, and the provisions of such sections are hereby incorporated by reference for all purposes thereof.

(xvi) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are or were members of the armed forces of the United States, including service in the Kansas army and air national guard, as a recruitment, sign up or retention bonus received by such taxpayer as an incentive to join, enlist or remain in the armed services of the United States, including service in the Kansas army and air national guard, and amounts received for repayment of educational or student loans incurred by or obligated to such taxpayer and received by such taxpayer as a result of such taxpayer's service in the armed forces of the United States, including service in the Kansas army and air national guard.

(xvii) For all taxable years beginning after December 31, 2004, amounts received by taxpayers who are eligible members of the Kansas army and air national guard as a reimbursement pursuant to K.S.A. 48-281, and amendments thereto, and amounts received for death benefits pursuant to K.S.A. 48-282, and amendments thereto, or pursuant to section 1 or section 2 of chapter 207 of the 2005 Session Laws of Kansas, and amendments thereto, to the extent that such death benefits are included in federal adjusted gross income of the taxpayer.

(xviii) For the taxable year beginning after December 31, 2006, amounts received as benefits under the federal social security act ~~which that~~ are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$50,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly; and for all taxable years beginning after December 31, 2007, amounts received as benefits under the federal social security act ~~which that~~ are included in federal adjusted gross income of a taxpayer with federal adjusted gross income of \$75,000 or less, whether such taxpayer's filing status is single, head of household, married filing separate or married filing jointly.

(xix) Amounts received by retired employees of Washburn university as retirement and pension benefits under the university's retirement plan.

(xx) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of any: (1) Net profit from business as determined under the federal internal revenue code and reported from schedule C and on line 12 of the taxpayer's form 1040 federal individual income tax return; (2) net income, not including guaranteed payments as defined in section 707(c) of the federal internal revenue code

and as reported to the taxpayer from federal schedule K-1, (form 1065-B), in box 9, code F or as reported to the taxpayer from federal schedule K-1, (form 1065) in box 4, from rental real estate, royalties, partnerships, S corporations, estates, trusts, residual interest in real estate mortgage investment conduits and net farm rental as determined under the federal internal revenue code and reported from schedule E and on line 17 of the taxpayer's form 1040 federal individual income tax return; and (3) net farm profit as determined under the federal internal revenue code and reported from schedule F and on line 18 of the taxpayer's form 1040 federal income tax return; all to the extent included in the taxpayer's federal adjusted gross income. For purposes of this subsection, references to the federal form 1040 and federal schedule C, schedule E, and schedule F, shall be to such form and schedules as they existed for tax year 2011 and as revised thereafter by the internal revenue service.

(xxi) For all taxable years beginning after December 31, 2013, amounts equal to the unreimbursed travel, lodging and medical expenditures directly incurred by a taxpayer while living, or a dependent of the taxpayer while living, for the donation of one or more human organs of the taxpayer, or a dependent of the taxpayer, to another person for human organ transplantation. The expenses may be claimed as a subtraction modification provided for in this section to the extent the expenses are not already subtracted from the taxpayer's federal adjusted gross income. In no circumstances shall the subtraction modification provided for in this section for any individual, or a dependent, exceed \$5,000. As used in this section, "human organ" means all or part of a liver, pancreas, kidney, intestine, lung or bone marrow. The provisions of this paragraph shall take effect on the day the secretary of revenue certifies to the director of the budget that the cost for the department of revenue of modifications to the automated tax system for the purpose of implementing this paragraph will not exceed \$20,000.

(xxii) For taxable years beginning after December 31, 2012, and ending before January 1, 2017, the amount of net gain from the sale of: (1) Cattle and horses, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 24 months or more from the date of acquisition; and (2) other livestock, regardless of age, held by the taxpayer for draft, breeding, dairy or sporting purposes, and held by such taxpayer for 12 months or more from the date of acquisition. The subtraction from federal adjusted gross income shall be limited to the amount of the additions recognized under the provisions of subsection (b)(xix) attributable to the business in which the livestock sold had been used. As used in this paragraph, the term "livestock" shall not include poultry.

(xxiii) For all taxable years beginning after December 31, 2012, amounts received under either the Overland Park, Kansas police department retirement plan or the Overland Park, Kansas fire department retirement plan, both as established by the city of Overland Park, pursuant to the city's home rule authority.

(xxiv) For taxable years beginning after December 31, 2013, and ending before January 1, 2017, the net gain from the sale from Christmas trees grown in Kansas and held by the taxpayer for six years or more.

(xxv) For all taxable years beginning after December 31, 2021, amounts deposited in a student empowerment account established by agreement between the taxpayer and the state treasurer pursuant to section 9, and amendments thereto.

(d) There shall be added to or subtracted from federal adjusted gross income the taxpayer's share, as beneficiary of an estate or trust, of the Kansas fiduciary adjustment

determined under K.S.A. 79-32,135, and amendments thereto.

(e) The amount of modifications required to be made under this section by a partner ~~which that~~ relates to items of income, gain, loss, deduction or credit of a partnership shall be determined under K.S.A. 79-32,131, and amendments thereto, to the extent that such items affect federal adjusted gross income of the partner.

(f) No taxpayer shall be assessed penalties and interest from the underpayment of taxes due to changes to this section that became law on July 1, 2017, so long as such underpayment is rectified on or before April 17, 2018.

Sec. 34. On and after July 1, 2021, K.S.A. 72-1163, 72-3115, 72-5134, 72-5151 and 79-32,117 and K.S.A. 2020 Supp. 72-3117, 72-4352, 72-4354, 72-5131, 72-5132 and 72-5178 are hereby repealed.";

On page 8, in line 42, 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 "ACT"; by striking all in lines 2 through 8; in line 9, by striking all before the period and inserting "concerning education; relating to the instruction and financing thereof; making and concerning appropriations for the department of education for fiscal years ending June 30, 2021, June 30, 2022, and June 30, 2023; creating the student empowerment act to provide education savings accounts to certain students; requiring the school term to be conducted through in-person education and allowing for limited remote learning; requiring boards of education to allocate sufficient school district moneys to improve academic performance of underachieving students; providing an alternative state aid calculation for school district remote enrollment; expanding student eligibility under the tax credit for low income students scholarship program; amending K.S.A. 72-1163, 72-3115, 72-5134, 72-5151 and 79-32,117 and K.S.A. 2020 Supp. 72-3117, 72-4352, 72-4354, 72-5131, 72-5132 and 72-5178 and repealing the existing sections";

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

KRISTEY WILLIAMS

KYLE HOFFMAN

*Conferees on part of House*

MOLLY BAUMGARDNER

RENEE ERICKSON

*Conferees on part of Senate*

On motion of Rep. Williams, the conference committee report on **SB 175** was adopted.

On roll call, the vote was: Yeas 64; Nays 59; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Awerkamp, Bergkamp, Bergquist, Blex, Burris, B. Carpenter, W. Carpenter, Collins, Corbet, Croft, Delperdang, Donohoe, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Houser, Howe, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kessler, Landwehr, Lee-Hahn, Lynn, Mason, Moser, Murphy, Neelly, Newland, Owens, Penn, Poetter, Proctor, Rahjes, Resman, Rhiley, Ryckman, Samsel, Sanders, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Toplikar, Turner, Waggoner, Wasinger, Waymaster, K. Williams.

Nays: Alcalá, Amyx, Baker, Ballard, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, Clark, Clayton, Coleman, Concannon, Curtis, Day, Dodson, M., Ellis, Eplee, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoheisel, Hoye, Jennings, Kelly, Kuether, Long, Miller, Minnix, Neighbor, Ohaebosim, Orr, Ousley, Parker, F. Patton, Poskin, Probst, Proehl, Ralph, Ruiz, L., Ruiz, S., Sawyer, Schreiber, Stogsdill, Thompson, Vaughn, Victors, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Barker, Howard.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **SB 175**. This bill is a thinly veiled disguise of what is actually a Frankenstein bill, forcing through wish list of anti-public education policy and vouchers. The bill is not a sustainable plan and will ultimately defund K-12 education, forcing us back into the courts. This is the wrong message to send our children. We should not be playing political games with their livelihoods. — TOM SAWYER, RUI XU, JO ELLA HOYE, CINDY NEIGHBOR, SUSAN RUIZ, STEPHANIE BYERS, MARI-LYNN POSKIN, LINDA FEATHERSTON, LINDSAY VAUGHN, VIRGIL WEIGEL, JENNIFER DAY, ELIZABETH BISHOP, JOHN ALCALA, GAIL FINNEY, CHRISTINA HASWOOD, JERRY STOGSDILL, LOUIS RUIZ, PONKA-WE VICTORS, PAM CURTIS, BRANDON WOODARD

MR. SPEAKER: I stand in strong support for the public schools in District 118! Twenty school districts are involved in my district and are positively teaching academics and manners to all our children. They do this with support from parents and communities. While I see this bill may be beneficial in other parts of the State, I represent the 118<sup>th</sup> District and vote nay on **SB 175**. There is ample evidence that the public schools in my district have done an admirable job of teaching our kids. — JIM MINNIX

MR. SPEAKER: I vote yes on **SB 175**. Republicans are funding our public schools with around \$5.8 Billion – the full Governor's recommendation, plus critical item funding the Governor denied! If you care about: ensuring “the funding follows the child,” giving hope, educational opportunities, and options to our At-Risk students to break the systemic cycle of failure, and public school system accountability, then THIS BILL'S FOR YOU. VOTE YES! Don't fear the special interests, who eagerly trade our kids and teachers for their bottom line and control. Their vote in 2022 will be the same as 2020 – not for you. Let's keep our word and fight for our kids! – PATRICK PENN

#### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **HB 2039**, and has appointed Senators Baumgardner, Erickson and Sykes as Second conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2158** and has appointed Senators Hilderbrand, Gossage and Pettey as conferees on the part of the Senate.

The Senate adopts the Conference Committee report on **SB 36**.

The Senate adopts the Conference Committee report on **SB 67**.

The Senate adopts the Conference Committee report on **SB 95**.  
 The Senate adopts the Conference Committee report on **SB 127**.  
 The Senate adopts the Conference Committee report on **Sub HB 2166**.

### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. S. Johnson, the House nonconcurred in Senate amendments to **HB 2405** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. S. Johnson, Croft and Neighbor as conferees on the part of the House.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2039** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed;

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

On motion of Rep. Huebert the conference committee report on **HB 2039** to agree to disagree, was adopted.

Speaker pro tem Finch thereupon appointed Reps. Huebert, Thomas and Stogsdill as second conferees on the part of the House.

On motion of Rep. Hawkins, the House recessed until 4:30 p.m.

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### LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Proehl, the House concurred in Senate amendments to **S Sub HB 2201**, AN ACT concerning transportation; relating to the Eisenhower legacy transportation program; decreasing the threshold amount required for alternate delivery projects; providing for the usage of federal stimulus funds for certain projects; calculating KDOT bonding and debt cap authority; amending K.S.A. 68-2320 and 68-2328 and K.S.A. 2020 Supp. 68-2314c, 68-2332 and 75-5094 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 95; Nays 27; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Bergkamp, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Croft, Curtis, Day, Dodson, M., Donohoe, Eplee, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Henderson, Highberger, Highland, Hoheisel, Howe, Hoye, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Ruiz, L., Ruiz, S., Ryckman,

Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Tarwater, Thompson, Turner, Vaughn, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, Bergquist, Burris, B. Carpenter, Corbet, Delperdang, Ellis, Esau, Fairchild, Garber, Helgerson, Helmer, Hoffman, Houser, Huebert, Jacobs, Lee-Hahn, Miller, Penn, Poetter, Resman, Rhiley, Samsel, Sutton, Thomas, Toplikar, Waggoner.

Present but not voting: None.

Absent or not voting: Barker, Howard, Victors.

On motion of Rep. Jennings, the House concurred in Senate amendments to **HB 2401**, AN ACT concerning the department of corrections; authorizing the secretary of corrections to enter agreements for public-private partnerships for projects for new or renovated buildings at correctional institutions for education, skills-building and spiritual needs programs; establishing a nonprofit corporation to receive gifts, donations, grants and other moneys and engage in fundraising projects for funding such projects; amending K.S.A. 75-3739 and repealing the existing section.

On roll call, the vote was: Yeas 120; Nays 2; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Lee-Hahn, Poetter.

Present but not voting: None.

Absent or not voting: Barker, Howard, Victors.

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **Sub HB 2066** submits the following report:

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

On page 2, in line 42, by striking "may" and inserting "shall";

On page 9, in line 21, by striking "Kansas register" and inserting "statute book";

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

LARRY ALLEY  
 RICHARD HILDERBRAND  
 OLETHA FAUST-GOUDEAU  
*Conferees on part of Senate*

SEAN TARWATER  
 CHRIS CROFT  
 STEPHANIE CLAYTON  
*Conferees on part of House*

On motion of Rep. Croft, the conference committee report on **Sub HB 2066** was adopted.

On roll call, the vote was: Yeas 105; Nays 17; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlson, B. Carpenter, W. Carpenter, Clark, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Haswood, Hawkins, Helgerson, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Woodard.

Nays: Alcalá, Amyx, Ballard, Carlin, Carmichael, Clayton, Gartner, Henderson, Highberger, Kuether, Miller, Ousley, Ruiz, S., Weigel, Winn, Wolfe Moore, Xu.

Present but not voting: None.

Absent or not voting: Barker, Howard, Victors.

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2243** submits the following report:

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

On page 3, following line 20, by inserting:

"Sec. 3. K.S.A. 74-4927 is hereby amended to read as follows: 74-4927. (1) The board may establish a plan of death and long-term disability benefits to be paid to the members of the retirement system as provided by this section. The long-term disability benefit shall be payable in accordance with the terms of such plan as established by the board, except that for any member who is disabled prior to the effective date of this act, the annual disability benefit amount shall be an amount equal to 66<sup>2</sup>/<sub>3</sub>% of the member's annual rate of compensation on the date such disability commenced. Such plan shall provide that:

(A) The right to receive such long-term disability benefit shall cease: (i) For a

member who becomes eligible for such benefit before attaining age 60, upon the date that such member attains age 65 or the date of such member's retirement, whichever first occurs; and (ii) for a member who becomes eligible for such benefit at or after attaining age 60, the date that such member has received such benefit for a period of five years, or upon the date of such member's retirement, whichever first occurs.

(B) Long-term disability benefit payments shall be in lieu of any accidental total disability benefit that a member may be eligible to receive under K.S.A. 74-4916(3), and amendments thereto. The member must make an initial application for social security disability benefits and, if denied such benefits, the member must pursue and exhaust all administrative remedies of the social security administration—~~which that~~ include, but are not limited to, reconsideration and hearings. Such plan may provide that any amount—~~which that~~ a member receives as a social security benefit or a disability benefit or compensation from any source by reason of any employment including, but not limited to, workers compensation benefits may be deducted from the amount of long-term disability benefit payments under such plan. However, in no event shall the amount of long-term disability benefit payments under such plan be reduced by any amounts a member receives as a supplemental disability benefit or compensation from any source by reason of the member's employment, provided such supplemental disability benefit or compensation is based solely upon the portion of the member's monthly compensation that exceeds the maximum monthly compensation taken into account under such plan. As used in this paragraph, "maximum monthly compensation" means the dollar amount that results from dividing the maximum monthly disability benefit payable under such plan by the percentage of compensation that is used to calculate disability benefit payments under such plan. During the period in which such member is pursuing such administrative remedies prior to a final decision of the social security administration, social security disability benefits may be estimated and may be deducted from the amount of long-term disability benefit payments under such plan. If the social security benefit, workers compensation benefit, other income or wages or other disability benefit by reason of employment other than a supplemental benefit based solely on compensation in excess of the maximum monthly compensation taken into account under such plan, or any part thereof, is paid in a lump-sum, the amount of the reduction shall be calculated on a monthly basis over the period of time for which the lump-sum is given. As used in this section, "workers compensation benefits" means the total award of disability benefit payments under the workers compensation act notwithstanding any payment of attorney fees from such benefits as provided in the workers compensation act.

(C) The plan may include other provisions relating to: Qualifications for benefits; schedules and graduation of benefits; limitations of eligibility for benefits by reason of termination of employment or membership; conversion privileges; limitations of eligibility for benefits by reason of leaves of absence, military service or other interruptions in service; limitations on the condition of long-term disability benefit payment by reason of improved health; requirements for medical examinations or reports; or any other reasonable provisions as established by rule and regulation of uniform application adopted by the board.

(D) Any visually impaired person who is in training at and employed by a sheltered workshop for the blind operated by the secretary for children and families and who would otherwise be eligible for the long-term disability benefit as described in this

section shall not be eligible to receive such benefit due to visual impairment as such impairment shall be determined to be a preexisting condition.

(2) (A) In the event that a member becomes eligible for a long-term disability benefit under the plan authorized by this section such member shall be given participating service credit for the entire period of such disability. Such member's final average salary shall be computed in accordance with K.S.A. 74-4902(17), and amendments thereto, except that the years of participating service used in such computation shall be the years of salaried participating service.

(B) In the event that a member eligible for a long-term disability benefit under the plan authorized by this section shall be disabled for a period of five years or more immediately preceding retirement, such member's final average salary shall be adjusted upon retirement by the actuarial salary assumption rates in existence during such period of disability. Effective July 1, 1998, such member's final average salary shall be adjusted upon retirement by an amount equal to the lesser of: (i) The percentage increase in the consumer price index for all urban consumers as published by the bureau of labor statistics of the United States department of labor minus 1%; or (ii) four percent per annum, measured from the member's last day on the payroll to the month that is two months prior to the month of retirement, for each year of disability after July 1, 1998.

(C) In the event that a member eligible for a long-term disability benefit under the plan authorized by this section shall be disabled for a period of five years or more immediately preceding death, such member's current annual rate shall be adjusted by the actuarial salary assumption rates in existence during such period of disability. Effective July 1, 1998, such member's current annual rate shall be adjusted upon death by an amount equal to the lesser of: (i) The percentage increase in the consumer price index for all urban consumers published by the bureau of labor statistics of the United States department of labor minus 1%; or (ii) ~~four percent~~ 4% per annum, measured from the member's last day on the payroll to the month that is two months prior to the month of death, for each year of disability after July 1, 1998.

(3) (A) To carry out the legislative intent to provide, within the funds made available therefor, the broadest possible coverage for members who are in active employment or involuntarily absent from such active employment, the plan of death and long-term disability benefits shall be subject to adjustment from time to time by the board within the limitations of this section. The plan may include terms and provisions ~~which~~ that are consistent with the terms and provisions of group life and long-term disability policies usually issued to those employers who employ a large number of employees. The board shall have the authority to establish and adjust from time to time the procedures for financing and administering the plan of death and long-term disability benefits authorized by this section. Either the insured death benefit or the insured disability benefit or both such benefits may be financed directly by the system or by one or more insurance companies authorized and licensed to transact group life and group accident and health insurance in this state.

(B) The board may contract with one or more insurance companies, which are authorized and licensed to transact group life and group accident and health insurance in Kansas, to underwrite or to administer or to both underwrite and administer either the insured death benefit or the long-term disability benefit or both such benefits. Each such contract with an insurance company under this subsection shall be entered into on the basis of competitive bids solicited and administered by the board. Such competitive bids

shall be based on specifications prepared by the board.

(i) In the event the board purchases one or more policies of group insurance from such company or companies to provide either the insured death benefit or the long-term disability benefit or both such benefits, the board shall have the authority to subsequently cancel one or more of such policies and, notwithstanding any other provision of law, to release each company ~~which that~~ issued any such canceled policy from any liability for future benefits under any such policy and to have the reserves established by such company under any such canceled policy returned to the system for deposit in the group insurance reserve of the fund.

(ii) In addition, the board shall have the authority to cancel any policy or policies of group life and long-term disability insurance in existence on the effective date of this act and, notwithstanding any other provision of law, to release each company ~~which that~~ issued any such canceled policy from any liability for future benefits under any such policy and to have the reserves established by such company under any such canceled policy returned to the system for deposit in the group insurance reserve of the fund. Notwithstanding any other provision of law, no premium tax shall be due or payable by any such company or companies on any such policy or policies purchased by the board nor shall any brokerage fees or commissions be paid thereon.

(4) (A) There is hereby created in the state treasury the group insurance reserve fund. Investment income of the fund shall be added or credited to the fund as provided by law. The cost of the plan of death and long-term disability benefits shall be paid from the group insurance reserve fund, which shall be administered by the board. Each participating employer shall appropriate and pay to the system in such manner as the board shall prescribe in addition to the employee and employer retirement contributions an amount equal to 1.0% of the amount of compensation on which the members' contributions to the Kansas public employees retirement system are based for deposit in the group insurance reserve fund. Notwithstanding the provisions of this subsection, no participating employer other than the state of Kansas shall appropriate and pay to the system any amount provided for by this subsection for deposit in the group insurance reserve fund for the period commencing on ~~April 1, 2016~~ July 1, 2021, and ending on June 30, ~~2017~~ 2022. Notwithstanding the provisions of this subsection, the state of Kansas shall not appropriate and pay to the system any amount provided for by this subsection for deposit in the group insurance reserve fund for the period commencing on ~~March 25, 2016~~ July 1, 2020, and ending on June 30, ~~2017~~ 2021.

(B) The director of the budget and the governor shall include in the budget and in the budget request for appropriations for personal services a sum to pay the state's contribution to the group insurance reserve fund as provided by this section and shall present the same to the legislature for allowances and appropriation.

(C) The provisions of K.S.A. 74-4920(4), and amendments thereto, shall apply for the purpose of providing the funds to make the contributions to be deposited to the group insurance reserve fund.

(D) Any dividend or retrospective rate credit allowed by an insurance company or companies shall be credited to the group insurance reserve fund and the board may take such amounts into consideration in determining the amounts of the benefits under the plan authorized by this section.

(5) The death benefit provided under the plan of death and long-term disability benefits authorized by this section shall be known and referred to as insured death

benefit. The long-term disability benefit provided under the plan of death and long-term disability benefits authorized by this section shall be known and referred to as long-term disability benefit.

(6) The board is hereby authorized to establish an optional death benefit plan for employees and spouses and dependents of employees. Except as provided in subsection (7), such optional death benefit plan shall be made available to all employees who are covered or may hereafter become covered by the plan of death and long-term disability benefits authorized by this section. The cost of the optional death benefit plan shall be paid by the applicant either by means of a system of payroll deductions or direct payment to the board. The board shall have the authority and discretion to establish such terms, conditions, specifications and coverages as it may deem to be in the best interest of the state of Kansas and its employees—~~which that~~ should include term death benefits for the person's period of active state employment regardless of age, but in no case, shall the maximum allowable coverage be less than \$200,000. The cost of the optional death benefit plan shall not be established on such a basis as to unreasonably discriminate against any particular age group. The board shall have full administrative responsibility, discretion and authority to establish and continue such optional death benefit plan and the director of accounts and reports of the department of administration shall when requested by the board and from funds appropriated or available for such purpose establish a system to make periodic deductions from state payrolls to cover the cost of the optional death benefit plan coverage under the provisions of this subsection ~~(6)~~ and shall remit all deductions together with appropriate accounting reports to the system. There is hereby created in the state treasury the optional death benefit plan reserve fund. Investment income of the fund shall be added or credited to the fund as provided by law. All funds received by the board, whether in the form of direct payments, payroll deductions or otherwise, shall be accounted for separately from all other funds of the retirement system and shall be paid into the optional death benefit plan reserve fund, from which the board is authorized to make the appropriate payments and to pay the ongoing costs of administration of such optional death benefit plan as may be incurred in carrying out the provisions of this subsection ~~(6)~~.

(7) Any employer other than the state of Kansas—~~which that~~ is currently a participating employer of the Kansas public employees retirement system or is in the process of affiliating with the Kansas public employees retirement system may also elect to affiliate for the purposes of subsection (6). All such employers shall make application for affiliation with such system, to be effective on January 1 or July 1 next following application.

(8) For purposes of the death benefit provided under the plan of death and long-term disability benefits authorized by this section and the optional death benefit plan authorized by subsection (6), commencing on the effective date of this act, in the case of medical or financial hardship of the member as determined by the executive director, or otherwise commencing January 1, 2005, the member may name a beneficiary or beneficiaries other than the beneficiary or beneficiaries named by the member to receive other benefits as provided by the provisions of K.S.A. 74-4901 et seq., and amendments thereto.

Sec. 4. K.S.A. 2020 Supp. 74-49861 is hereby amended to read as follows: 74-49861. (a) As used in this act, unless otherwise provided or the context otherwise requires:

- (1) "Act" means the Kansas deferred retirement option program act;
  - (2) "board" means the board of trustees of the Kansas public employees retirement system;
  - (3) "DROP" means the deferred retirement option program established by K.S.A. 74-4986m, and amendments thereto;
  - (4) "DROP account" means the notional account to which is credited the monthly DROP accrual;
  - (5) "DROP period" means the period of time that a member ~~irrevocably~~ elects to participate in the DROP pursuant to K.S.A. 74-4986n, and amendments thereto;
  - (6) "member" means a trooper, examiner or officer of the Kansas highway patrol or an agent of the Kansas bureau of investigation who is eligible to participate in the DROP and who elects to participate in the DROP as provided in this act;
  - (7) "monthly DROP accrual" means the amount equal to the monthly retirement benefit that would have been payable to the member had the member terminated service and retired on the day the member elected; and
  - (8) "system" means the Kansas police and firemen's retirement system.
- (b) Unless specifically provided in this section or in this act, words and phrases used in this act ~~shall have the meanings ascribed to them~~ mean the same as provided under the provisions of K.S.A. 74-4901 et seq. and ~~K.S.A. 74-4951 et seq.~~, and amendments thereto.

Sec. 5. K.S.A. 74-4986n is hereby amended to read as follows: 74-4986n. (a) (1) A member who is appointed or employed prior to July 1, 1989, and who did not make an election pursuant to K.S.A. 74-4955a, and amendments thereto, may elect to participate in the DROP by making application in such form prescribed by the system at the attainment of age 55 and the completion of 20 years of credited service or at the completion of 32 years of credited service regardless of the age of such member.

(2) A member who is appointed or employed on or after July 1, 1989, or who made an election pursuant to K.S.A. 74-4955a, and amendments thereto, may elect to participate in the DROP by making application in such form prescribed by the system at the attainment of age 55 and the completion of 20 years of credited service, age 50 and the completion of 25 years of credited service or age 60 with the completion of 15 years of credited service.

(b) A member shall indicate on the application the DROP period such member wishes to participate in the DROP. A member may elect to participate in the DROP for a minimum of three years and may not participate for more than five years from the effective date of the election to participate in the DROP. A member may participate in the DROP only once. ~~An election under this section is a one-time irrevocable election.~~ Once the application is accepted by the system, such member becomes a DROP participant. If a member fails to participate in the DROP for a minimum of three years, all of the member's interest credits shall be forfeited, unless such member retires due to disability as defined in K.S.A. 74-4952, and amendments thereto. A member who remains in active service at the expiration of the member's elected DROP period shall not be eligible for any additional interest credits. A member who first elected a DROP period of less than five years may extend, with the employer's authorization, such DROP period upon making application to the system. The total aggregate DROP period for a member shall be consecutive and shall not exceed five years from the effective date of the initial election to participate in the DROP.

(c) A member who makes an election under this section shall continue in the active service under the Kansas police and firemen's retirement system but shall not earn service credit under K.S.A. 74-4951 et seq., and amendments thereto, after the election's effective date. On and after the effective date of the member's election to participate, such member is ineligible to purchase service credit under K.S.A. 74-4901 et seq., and amendments thereto.

(d) Participation in the DROP by a member does not guarantee continued employment. During a member's participation in the DROP, employer contributions under K.S.A. 74-4967, and amendments thereto, and member contributions under K.S.A. 74-4965, and amendments thereto, shall be made to the retirement system. No member or employer contributions shall be applied to a member's DROP account.

Sec. 6. K.S.A. 74-49,123 is hereby amended to read as follows: 74-49,123. (a) This section applies to the Kansas public employees retirement system and to all other public retirement plans administered by the board of trustees.

(b) As used in this section:

(1) "Federal internal revenue code" means the federal internal revenue code of 1954 or 1986, as amended and as applicable to a governmental plan as in effect on July 1, 2008; and

(2) "retirement plan" includes the Kansas public employees retirement system and all other Kansas public retirement plans and benefit structures, which are administered by the board.

(c) In addition to the federal internal revenue code provisions otherwise noted in each retirement plan's law, and in order to satisfy the applicable requirements under the federal internal revenue code, the retirement plans shall be subject to the following provisions, notwithstanding any other provision of the retirement plan's law:

(1) The board shall distribute the corpus and income of the retirement plan to the members and their beneficiaries in accordance with the retirement plan's law. At no time prior to the satisfaction of all liabilities with respect to members and their beneficiaries shall any part of the corpus and income be used for, or diverted to, purposes other than the exclusive benefit of the members and their beneficiaries.

(2) Forfeitures arising from severance of employment, death or for any other reason may not be applied to increase the benefits any member would otherwise receive under the retirement plan's law. However, forfeitures may be used to reduce an employer's contribution.

(3) All benefits paid from the retirement plan shall be distributed in accordance with a good faith interpretation of the requirements of section 401(a)(9) of the federal internal revenue code and the regulations under that section. Notwithstanding any other provision of these rules and regulations, effective on and after January 1, 2003, the retirement plan is subject to the following provisions:

(A) Benefits must begin by the required beginning date, which is the later of April 1 of the calendar year following the calendar year in which the member reaches  $70\frac{1}{2}$  72 years of age, or  $70\frac{1}{2}$  years of age if the member was born before July 1, 1949, or April 1 of the calendar year following the calendar year in which the member terminates employment. If a member fails to apply for retirement benefits by April 1 of the calendar year following the calendar year in which such member reaches  $70\frac{1}{2}$  72 years of age, or  $70\frac{1}{2}$  years of age if the member was born before July 1, 1949, or April 1 of the calendar year following the calendar year in which such member terminates

employment, whichever is later, the board will begin distributing the benefit as required by this section.

(B) The member's entire interest must be distributed over the member's life or the lives of the member and a designated beneficiary, or over a period not extending beyond the life expectancy of the member or of the member and a designated beneficiary. Death benefits must be distributed in accordance with section 401(a)(9) of the federal internal revenue code, including the incidental death benefit requirement in section 401(a)(9)(G) of the federal internal revenue code, and the regulations implementing that section.

(C) The life expectancy of a member, the member's spouse or the member's beneficiary may not be recalculated after the initial determination for purposes of determining benefits.

(D) If a member dies after the required distribution of benefits has begun, the remaining portion of the member's interest must be distributed at least as rapidly as under the method of distribution before the member's death and no longer than the remaining period over which distributions commenced.

(E) If a member dies before required distribution of the member's benefits has begun, the member's entire interest must be either:

(i) In accordance with federal regulations, distributed over the life or life expectancy of the designated beneficiary, with the distributions beginning no later than December 31 of the calendar year immediately following the calendar year of the member's death; or

(ii) distributed by December 31 of the calendar year containing the fifth anniversary of the member's death.

(F) The amount of an annuity paid to a member's beneficiary may not exceed the maximum determined under the incidental death benefit requirement of the federal internal revenue code.

(G) The death and disability benefits provided by a retirement plan are limited by the incidental benefit rule set forth in section 401(a)(9)(G) of the federal internal revenue code and treasury regulation 1.401-1(b)(1)(i).

(4) Distributions from the retirement plans may be made only upon retirement, separation from service, disability or death.

(5) The board or its designee may not:

(A) Determine eligibility for benefits;

(B) compute rates of contribution; or

(C) compute benefits of members or beneficiaries, in a manner that discriminates in favor of members who are considered officers, supervisors or highly compensated, as prohibited under section 401(a)(4) of the federal internal revenue code.

(6) Subject to the provisions of this subsection, benefits paid from, and employee contributions made to, the retirement plans shall not exceed the maximum benefits and the maximum annual additions, respectively, permissible under section 415 of the federal internal revenue code.

(A) Before January 1, 1995, a member may not receive an annual benefit that exceeds the limits specified in section 415(b) of the federal internal revenue code, subject to the applicable adjustments in that section. Beginning January 1, 1995, a participant may not receive an annual benefit that exceeds the dollar amount specified in section 415(b)(1)(A) of the federal internal revenue code, subject to the applicable adjustments in section 415 of the federal internal revenue code.

(B) Notwithstanding any other provision of law to the contrary, the board may modify a request by a participant to make a contribution to the retirement plans if the amount of the contribution would exceed the limits under section 415(c) or 415(n) of the federal internal revenue code subject to the following:

(i) Where the retirement plan's law requires a lump-sum payment, for the purchase of service credit, the board may establish a periodic payment plan in order to avoid a contribution in excess of the limits under section 415(c) or 415(n) of the federal internal revenue code.

(ii) If the board's option under clause (i) will not avoid a contribution in excess of the limits under section 415(c) or 415(n) of the federal internal revenue code, the board shall reduce or deny the contribution.

(C) Effective for permissive service credit contributions made in limitation years beginning after December 31, 1997, if an active member makes one or more contributions to purchase permissive service credit under a retirement plan, then the requirements of this section shall be treated as met only if:

(i) The requirements of section 415(b) of the federal internal revenue code are met, determined by treating the accrued benefit derived from all such contributions as an annual benefit for purposes of such section; or

(ii) the requirements of section 415(c) of the federal internal revenue code are met, determined by treating all such contributions as annual additions for purposes of such section. For purposes of applying clause (i) a retirement plan shall not fail to meet the reduced limit under section 415(b)(2)(C) of the federal internal revenue code solely by reason of this subparagraph (C), and for purposes of applying clause (ii), a retirement plan shall not fail to meet the percentage limitation under section 415(c)(1)(B) of the federal internal revenue code solely by reason of this paragraph.

(iii) For purposes of this clause, the term "permissive service credit" means service credit:

(a) Specifically recognized by a retirement plan's law for purposes of calculating a member's benefit under that retirement plan;

(b) ~~which that~~ such member has not received under a retirement plan; and

(c) ~~which that~~ such member may receive under a retirement plan's law only by making a voluntary additional contribution, in an amount determined under the retirement plan's law and procedures established by the board, ~~which that~~ does not exceed the amount necessary to fund the benefit attributable to such service credit.

(iv) A retirement plan shall fail to meet the requirements of this clause if the retirement plan's law specifically provides for a purchase of nonqualified service purchase, and if:

(a) More than five years of nonqualified service credit are taken into account for purposes of this subclause; or

(b) any nonqualified service credit is taken into account under this subclause before the member has at least five years of participation under a retirement plan. For purposes of this subclause, effective for permissive service credit contributions made in limitation years beginning after December 31, 1997, the term "nonqualified service credit" means the same as provided in section 415(n)(3)(C) of the federal internal revenue code.

(v) In the case of a trustee-to-trustee transfer after December 31, 2001, to which section 403(b)(13)(A) or 457(e)(17)(A) of the federal internal revenue code applies,

without regard to whether the transfer is made between plans maintained by the same employer:

(a) The limitations of clause (iv) shall not apply in determining whether the transfer is for the purchase of permissive service credit; and

(b) the distribution rules applicable under federal law to a retirement plan shall apply to such amounts and any benefits attributable to such amounts.

(vi) For an eligible member, the limitation of section 415(c)(1) of the federal internal revenue code shall not be applied to reduce the amount of permissive service credit which may be purchased to an amount less than the amount which was allowed to be purchased under the terms of the statute as in effect on August 5, 1997. For purposes of this clause, an eligible member is an individual who first became a member in the retirement plan before January 1, 1998.

(D) Subject to approval by the internal revenue service, the board shall maintain a qualified governmental excess benefit arrangement under section 415(m) of the federal internal revenue code. The board shall establish the necessary and appropriate procedures for the administration of such benefit arrangement under the federal internal revenue code. The amount of any annual benefit that would exceed the limitations imposed by section 415 of the federal internal revenue code shall be paid from this benefit arrangement. The amount of any contribution that would exceed the limitations imposed by section 415 of the federal internal revenue code shall be credited to this benefit arrangement. The qualified excess benefit arrangement shall be a separate portion of the retirement plan. The qualified excess benefit arrangement is subject to the following requirements:

(i) The benefit arrangement shall be maintained solely for the purpose of providing to participants in the retirement plans that part of the participant's annual benefit otherwise payable under the terms of the act that exceeds the limitations on benefits imposed by section 415 of the federal internal revenue code; and

(ii) participants do not have an election, directly or indirectly, to defer compensation to the excess benefit arrangement.

(E) For purposes of applying these limits only and for no other purpose, the definition of compensation where applicable shall be compensation actually paid or made available during a limitation year, except as noted below and as permitted by treasury regulation section 1.415(c)-2. Specifically, compensation shall be defined as wages within the meaning of section 3401(a) of the federal internal revenue code and all other payments of compensation to an employee by an employer for which the employer is required to furnish the employee a written statement under sections 6041(d), 6051(a)(3) and 6052 of the federal internal revenue code. Compensation shall be determined without regard to any rules under section 3401(a) of the federal internal revenue code that limit the remuneration included in wages based on the nature or location of the employment or the services performed, such as the exception for agricultural labor in section 3401(a)(2) of the federal internal revenue code.

(i) However, for limitation years beginning after December 31, 1997, compensation shall also include amounts that would otherwise be included in compensation but for an election under sections 125(a), 402(e)(3), 402(h)(1)(B), 402(k) or 457(b) of the federal internal revenue code. For limitation years beginning after December 30, 2000, compensation shall also include any elective amounts that are not includable in the gross income of the employee by reason of section 132(f)(4) of the federal internal

revenue code.

(ii) The definition of compensation shall exclude employee contributions picked up under section 414(h)(2) of the federal internal revenue code.

(iii) For limitation years beginning on and after January 1, 2007, compensation for the limitation year will also include compensation paid by the later of two and a half months after an employee's severance from employment or the end of the limitation year that includes the date of the employee's severance from employment if:

(a) The payment is regular compensation for services during the employee's regular working hours or compensation for services outside the employee's regular working hours, such as overtime or shift differential, commissions, bonuses or other similar payments, and absent a severance from employment, the payments would have been paid to the employee while the employee continues in employment with the employer;

(b) the payment is for unused accrued bona fide sick, vacation or other leave that the employee would have been able to use if employment had continued; or

(c) for limitation years beginning on and after January 1, 2012, the payment is made pursuant to a nonqualified unfunded deferred compensation plan, but only if the payment would have been paid to the member at the same time if the member had continued employment with the employer and only to the extent that the payment is includable in the member's gross income.

(iv) Any payments not described in clause (iii) are not considered compensation if paid after severance from employment, even if they are paid within two and a half months following severance from employment, except for payments to the individual who does not currently perform services for the employer by reason of qualified military service, within the meaning of section 414(u)(1) of the federal internal revenue code, to the extent these payments do not exceed the amounts the individual would have received if the individual had continued to perform services for the employer rather than entering qualified military service.

(v) An employee who is in qualified military service, within the meaning of section 414(u)(1) of the federal internal revenue code, shall be treated as receiving compensation from the employer during such period of qualified military service equal to: (a) The compensation the employee would have received during such period if the employee were not in qualified military service, determined based on the rate of pay the employee would have received from the employer but for the absence during the period of qualified military service; or (b) if the compensation the employee would have received during such period was not reasonably certain, the employee's average compensation from the employer during the ~~twelve-month~~ 12-month period immediately preceding the qualified military service, or if shorter, the period of employment immediately preceding the qualified military service.

(vi) Back pay, within the meaning of treasury regulation section 1.415(c)-2(g)(8), shall be treated as compensation for the limitation year to which the back pay relates to the extent the back pay represents wages and compensation that would otherwise be included under this definition.

(7) On and after January 1, 2009, for purposes of applying the limits under section 415(b) of the federal internal revenue code, the following shall apply:

(A) A member's applicable limit shall be applied to the member's annual benefit in the first limitation year without regard to any automatic cost-of-living increases;

(B) to the extent the member's annual benefit equals or exceeds such limit, the

member shall no longer be eligible for cost-of-living increases until such time as the benefit plus the accumulated increases are less than such limit;

(C) thereafter, in any subsequent limitation year, the member's annual benefit including any automatic cost-of-living increase applicable shall be tested under the then applicable benefit limit including any adjustment to the dollar limit under section 415(b)(1)(A) or 415(d) of the federal internal revenue code and the regulations thereunder; and

(D) in no event shall a member's annual benefit payable from a retirement plan in any limitation year be greater than the limit applicable at the annuity starting date, as increased in subsequent years pursuant to section 415(d) of the federal internal revenue code and the regulations thereunder. If the form of benefit without regard to the automatic benefit increase feature is not a straight life annuity, then the preceding sentence is applied by reducing the limit under section 415(b) of the federal internal revenue code applicable at the annuity starting date to an actuarially equivalent amount determined using the assumptions specified in treasury regulation section 1.415(b)-1(c)(2)(ii) that take into account the death benefits under the form of benefit. This subsection applies to distributions made on and after January 1, 1993. A distributee may elect to have any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee in a transfer made from the retirement system.

(i) An eligible rollover distribution is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: (a) Any distribution that is one of a series of substantially equal periodic payments, not less frequently than annually, made for the life or the life expectancy of the distributee or the joint lives or joint life expectancies of the distributee and the distributee's designated beneficiary or for a specified period of 10 years or more; (b) any distribution to the extent such distribution is required under section 401(a)(9) of the federal internal revenue code; (c) the portion of any distribution that is not includable in gross income; and (d) any other distribution that is reasonably expected to total less than \$200 during the year. Effective January 1, 2002, a portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions that are not includable in gross income. However, such portion may be transferred only to an individual retirement account or annuity described in section 408(a) or (b) of the federal internal revenue code, or to a qualified defined contribution plan described in section 401(a) of the federal internal revenue code or to a qualified plan described in section 403(a) of the federal internal revenue code, that agrees to separately account for amounts so transferred and earnings on such amounts, including separately accounting for the portion of the distribution that is includable in gross income and the portion of the distribution that is not so includable, or on or after January 1, 2007, to a qualified defined benefit plan described in section 401(a) of the federal internal revenue code or to an annuity contract described in section 403(b) of the federal internal revenue code, that agrees to separately account for amounts so transferred and earnings thereon, including separately accounting for the portion of the distribution that is includable in gross income and the portion of the distribution that is not so includable.

(ii) An eligible retirement plan is any of the following that accepts the distributee's eligible rollover distribution:

(a) An individual retirement account described in section 408(a) of the federal internal revenue code;

(b) an individual retirement annuity described in section 408(b) of the federal internal revenue code;

(c) an annuity plan described in section 403(a) of the federal internal revenue code;

(d) a qualified trust described in section 401(a) of the federal internal revenue code;

(e) effective January 1, 2002, an annuity contract described in section 403(b) of the federal internal revenue code;

(f) effective January 1, 2002, a plan eligible under section 457(b) of the federal internal revenue code that is maintained by a state, political subdivision of a state or any agency or instrumentality of a state or a political subdivision of a state that agrees to separately account for amounts transferred into the plan from a retirement plan; or

(g) effective January 1, 2008, a roth IRA described in section 408(A) of the federal internal revenue code.

(iii) Effective January 1, 2002, the definition of eligible rollover distribution also includes a distribution to a surviving spouse, or to a spouse or former spouse who is an alternate payee under a domestic relations order, as defined in section 414(p) of the federal internal revenue code.

(iv) A distributee includes an employee or former employee. It also includes the employee's or former employee's surviving spouse and the employee's or former employee's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in section 414(p) of the federal internal revenue code. Effective July 1, 2007, a distributee further includes a nonspouse beneficiary who is a designated beneficiary as defined by section 401(a)(9)(E) of the federal internal revenue code. However, a nonspouse beneficiary may rollover the distribution only to an individual retirement account or individual retirement annuity established for the purpose of receiving the distribution and the account or annuity will be treated as an "inherited" individual retirement account or annuity.

(v) A direct rollover is a payment by the retirement system to the eligible retirement plan specified by the distributee.

(8) Notwithstanding any law to the contrary, the board may accept a direct or indirect eligible rollover distributions for the purpose of the purchase of service credit. In addition, the board may accept a direct trustee to trustee transfer from a deferred compensation plan under section 457(b) of the federal internal revenue code or a tax sheltered annuity under section 403(b) of the federal internal revenue code for: (A) The purchase of permissive service credit, as defined under section 415(n)(3)(A) of the federal internal revenue code; or (B) a repayment to which section 415 of the federal internal revenue code does not apply pursuant to section 415(k)(3) of the federal internal revenue code. Any such transfer shall be allowed as provided in this subsection to the extent permitted by law, subject to any conditions, proofs or acceptance established or required by the board or the board's designee.

(9) Where required by the act, an employer shall pick up and pay contributions that would otherwise be payable by members of a retirement plan in accordance with section 414(h)(2) of the federal internal revenue code as follows:

(A) The contributions, although designated as employee contributions, are being paid by the employer in lieu of contributions by the employee;

(B) the employee must not have been given the option of receiving the amounts

directly instead of having them paid to the retirement plan; and

(C) the pickup shall apply to amounts that a member elects to contribute to receive credit for prior or participating service if the election is irrevocable and applies to amounts contributed before retirement.

(10) (A) Notwithstanding any provision of this plan to the contrary, contributions, benefits and service credit with respect to qualified military service will be provided in accordance with section 414(u) of the federal internal revenue code and the uniformed services employment and reemployment rights act of 1994.

(B) Effective with respect to deaths occurring on or after January 1, 2007, while a member is performing qualified military service, as defined in chapter 43 of title 38, United States code, to the extent required by section 401(a)(37) of the federal internal revenue code, survivors of a member in the system, are entitled to any additional benefits that the system would provide if the member had resumed employment and then died, such as accelerated vesting or survivor benefits that are contingent on the member's death while employed. A deceased member's period of qualified military service must be counted for vesting purposes.

(C) Effective with respect to deaths or disabilities, or both, occurring on or after January 1, 2007, while a member is performing qualified military service, as defined in chapter 43 of title 38, United States code, to the extent permitted by section 414(u)(9) of the federal internal revenue code, for the benefit accrual purposes and in the case of death, for vesting purposes, the member will be treated as having earned years of service for the period of qualified military service, having returned to employment on the day before the death or disability, or both, and then having terminated on the date of death or disability. This provision shall be applied to all similarly situated individuals in a reasonably equivalent manner.

(D) Beginning January 1, 2009, to the extent required by section 414(u)(12) of the federal internal revenue code, an individual receiving differential wage payments, as defined under section 3401(h)(2) of the federal internal revenue code, from an employer shall be treated as employed by that employer, and the differential wage payment shall be treated as compensation for purposes of applying the limits on annual additions under section 415(c) of the federal internal revenue code. This provision shall be applied to all similarly situated individuals in a reasonably equivalent manner.

(11) Upon the complete or partial termination of a retirement plan, the rights of members to benefits accrued to the date of termination, to the extent funded, or to the amounts in their accounts are nonforfeitable, and amounts in their accounts may be distributed to them.

(d) The plan year for the retirement plan begins on July 1.

(e) The limitation year for purposes of section 415 of the federal internal revenue code is the calendar year.

(f) The board may not engage in a transaction prohibited by section 503(b) of the federal internal revenue code.

(g) (1) For purposes of determining an "actuarial equivalent" or of an "actuarial computation" for members hired prior to July 1, 2009, the board shall use the following:

(A) The applicable mortality table is specified in revenue ruling 2001-62 or revenue ruling 2007-67, as applicable; and

(B) the applicable interest factor is the actuarially assumed rate of return established by the board.

(2) For purposes of determining an "actuarial equivalent" or an "actuarial computation" for members hired on or after July 1, 2009, the board shall use the following:

(A) The applicable mortality table is the <sup>50/50</sup> male/female blend of the RP 2000 health annuitant mortality table, projected to 2025; and

(B) the applicable interest factor is the actuarially assumed rate of return established by the board.

(3) For converting amounts payable under the partial lump sum option, the board shall use the following:

(A) The applicable mortality table is a <sup>50/50</sup> male/female blend of the 1983 group annuity mortality table; and

(B) the applicable interest factor is the actuarially assumed rate of return established by the board.

(4) For benefit testing under section 415(b) of the federal internal revenue code, the factors required by treasury regulations shall be used. The applicable mortality table is specified in revenue ruling 2001-62 for years prior to January 1, 2009, and notice 2008-85 for years after December 31, 2008.";

Also on page 3, in line 21, by striking "and" and inserting a comma; after "74-4908a" by inserting ", 74-4927, 74-4986n and 74-49,123 and K.S.A. 2020 Supp. 74-49861"; in line 23, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "system" by inserting "and systems thereunder"; in line 3, after the semicolon by inserting "providing a moratorium on death and long-term disability employer contributions to the group insurance reserve fund; allowing the extension of certain initial DROP periods under the Kansas deferred retirement option program act; conforming certain KPERS provisions with the federal CARES act;"; also in line 3, by striking the first "and" and inserting a comma; also in line 3, after "74-4908a" by inserting ", 74-4927, 74-4986n and 74-49,123 and K.S.A. 2020 Supp. 74-49861";

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

JEFF LONGBINE

MICHAEL FAGG

JEFF PITTMAN

*Conferees on part of Senate*

STEVE JOHNSON

CHRIS CROFT

CINDY NEIGHBOR

*Conferees on part of House*

On motion of Rep. S. Johnson, the conference committee report on **HB 2243** was adopted.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau,

Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Barker, Howard, Victors.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **Sub HB 2166** submits the following report:

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

On page 12, following line 38, by inserting:

"New Sec. 12. (a) On and after January 1, 2022, any owner or lessee of one or more passenger vehicles or trucks registered for a gross weight of 20,000 pounds or less, who is a resident of Kansas, upon compliance with the provisions of this section, may be issued one love, Chloe foundation license plate for each such passenger vehicle or truck. Such license plate shall be issued for the same time as other license plates upon proper registration and payment of the regular license fee as provided in K.S.A. 8-143, and amendments thereto, and either the payment to the county treasurer of the logo use royalty payment or the presentation of the annual logo use authorization statement provided for in subsection (b).

(b) The love, Chloe foundation may authorize the use of the organization's logo to be affixed on license plates as provided by this section. Any motor vehicle owner or lessee may apply annually to the love, Chloe foundation for use of such logo. Such owner or lessee shall pay an amount of not less than \$25 nor more than \$100 to the love, Chloe foundation as a logo use royalty payment for each such license plate to be issued. The logo use royalty payment shall be paid to either:

(1) The love, Chloe foundation, which shall issue to the motor vehicle owner or lessee, without further charge, a logo use authorization statement that shall be presented by the motor vehicle owner or lessee at the time of registration; or

(2) the county treasurer.

(c) Any applicant for a license plate authorized by this section may make application for such license plate not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for such license plate shall either provide the annual logo use authorization statement provided for in subsection (b) or pay to the county treasurer the logo use

royalty payment. Application for registration of a passenger vehicle or truck and issuance of the license plate under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

(d) No registration or license plate issued under this section shall be transferable to any other person.

(e) The director of vehicles may transfer a love, Chloe foundation license plate from a leased vehicle to a purchased vehicle.

(f) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in K.S.A. 8-132(b), and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer either the annual logo use authorization statement provided for in subsection (b) or the payment of the annual royalty payment. If such statement is not presented at the time of registration or faxed by the love, Chloe foundation or the annual royalty payment is not made to the county treasurer, the applicant shall be required to comply with the provisions of K.S.A. 8-143, and amendments thereto, and return the license plate to the county treasurer of such person's residence.

(g) The love, Chloe foundation shall provide to all county treasurers an electronic mail address where applicants can contact the love, Chloe foundation for information concerning the application process or the status of such applicant's license plate application.

(h) The love, Chloe foundation, with the approval of the director of vehicles, shall design a plate to be issued under the provisions of this section.

(i) As a condition of receiving the love, Chloe foundation license plate and any subsequent registration renewal of such license plate, the applicant shall consent to the division authorizing the division's release of motor vehicle record information, including the applicant's name, address, royalty payment amount, plate number and vehicle type to the love, Chloe foundation and the state treasurer.

(j) The collection and remittance of annual royalty payments by the county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h), and amendments thereto.";

On page 13, in line 36, by striking "provisions of" and inserting "additional fee set forth in"; also in line 36, by striking the comma; in line 37, by striking all before the period;

On page 21, following line 34, by inserting:

"Sec. 18. K.S.A. 2020 Supp. 8-1,155 is hereby amended to read as follows: 8-1,155. (a) ~~On and after January 1, 2005,~~ Any owner or lessee of one or more passenger vehicles, trucks of a gross weight of 20,000 pounds or less or motorcycles, who is a resident of the state of Kansas, and who submits satisfactory proof to the director of vehicles, in accordance with rules and regulations adopted by the secretary of revenue, that such person is a firefighter, upon compliance with the provisions of this section, may be issued one distinctive license plate for each such passenger vehicle, truck or motorcycle designating such person as a firefighter. Such license plates shall be issued for the same period of time as other license plates upon proper registration and payment

of the regular license fee as provided in K.S.A. 8-143, and amendments thereto.

(b) On and after January 1, 2022, any applicant or renewal for a firefighter license plate authorized by this section shall make an annual payment of a firefighters training fee of \$10 to the county treasurer for each license plate to be issued.

(c) Any person who is a firefighter may make an application for such distinctive license plates, not less than 60 days prior to such person's renewal of registration date, on a form prescribed and furnished by the director of vehicles, and any applicant for the distinctive license plates shall furnish the director with proof as the director shall require that the applicant is a firefighter. An application for the registration of a passenger vehicle, truck or motorcycle and issuance of the license plates under this section shall be made by the owner or lessee in a manner prescribed by the director of vehicles upon forms furnished by the director.

~~(e)~~(d) No registration or distinctive license plates issued under the authority of this section shall be transferable to any other person.

~~(d)~~(e) Renewals of registration under this section shall be made annually, upon payment of the fee prescribed in subsection (a), in the manner prescribed in subsection (b) of K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant has filed with the director a form as provided in subsection (b). If such form is not filed, the applicant shall be required to comply with K.S.A. 8-143, and amendments thereto, and return the distinctive license plates to the county treasurer of such person's residence.

(f) Annual firefighters training fee payments collected by county treasurers under this section 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 firefighters training fund, which is hereby created in the state treasury and shall be administered by the state treasurer. Expenditures from the firefighting training fund may be made for the purposes of providing financial support related to honoring Kansas firefighters, training Kansas firefighters or any general use that supports Kansas firefighters. All expenditures from the firefighters training 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 state treasurer or the state treasurer's designee. Payments from the firefighters training fund shall be made on a monthly basis to the appropriate designee of the Kansas state firefighters association.;

Also on page 21, in line 35, by striking "and" and inserting a comma; in line 36, after "1,147" by inserting "and 8-1,155";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "flag" by inserting ", love, Chloe foundation"; in line 9, after the semicolon by inserting "establishing a fee for firefighter license plates"; in line 11, by striking "and" and inserting a comma; also in line 11, after "8-1,147" by inserting "and 8-1,155";

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

MIKE PETERSEN

J. R. CLAEYS

*Conferees on part of Senate*

RICHARD PROEHL

LEO DELPERDANG

*Conferees on part of House*

On motion of Rep. Proehl, to adopt the conference committee report on **Sub HB 2166**, Rep. Helgerson offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed.

The substitute motion of Rep. Helgerson did not prevail and the question reverted back to the original motion of Rep. Proehl to adopt the conference committee report.

On motion of Rep. Proehl, the conference committee report on **Sub HB 2166** was adopted.

On roll call, the vote was: Yeas 81; Nays 41; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anderson, Arnberger, Averkamp, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Esau, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoyer, Kuether, Miller, Neighor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Thompson, Vaughn, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Barker, Howard, Victors.

#### EXPLANATIONS OF VOTE

MR. SPEAKER, I vote no on **HB 2166**. I disagree with providing the option of the Gadsden flag for car license plates. This sort of glorification of Christopher Gadsden, a notorious slave merchant whose Gadsden's Wharf is estimated to have sold more Africans into slavery than any other location in North America, is a stain on our country's history. Kansas was brought into this country a free state. By allowing for this sort of glorification of the horrors of slavery, we risk desecrating the image of Kansas and painting ourselves as a state rooted in some of the most morally impure acts of human degradation. — TOM SAWYER

MR. SPEAKER: I vote Yes on **HB 2166**. The controversy over this bill is contrived. History shows the Gadsden flag is an enduring marker of mainstream American political thought. It came from the Revolutionary War era, and was endorsed by George Washington and Benjamin Franklin. The flag's namesake was an American patriot and war hero Colonel Gadsden of South Carolina. The flag's "Don't Tread on Me" motto was designed to throw fear into oppressor's at home or abroad. It is a fitting symbol for a license tag and resonates with Kansans of goodwill to this day. — PAUL WAGGONER

On motion of Rep. Hawkins, the House recessed until 7:15 p.m.

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#### EVENING SESSION

The House met pursuant to recess with Speaker pro tem Finch in the chair.

#### MESSAGES FROM THE SENATE

The Senate accedes to the request of the House for a conference on **HB 2405** and has appointed Senators Billinger, Claeys and Hawk as conferees on the part of the Senate.

The Senate adopts the Conference Committee report on **SB 26**.

The Senate adopts the Conference Committee report on **SB 38**.

The Senate adopts the Conference Committee report on **SB 142**.

The Senate adopts the Conference Committee report on **SB 143**.

The Senate adopts the Conference Committee report on **HB 2244**.

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Barker, the House nonconcurrred in Senate amendments to **HB 2224** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. Landwehr, Eplee and Parker as conferees on the part of the House.

On motion of Rep. Corbet, the House concurred in Senate amendments to **HB 2203**, AN ACT concerning the Kansas asbestos control program; creating the asbestos remediation fund, fees and purposes; amending K.S.A. 65-5309 and repealing the existing section.

On roll call, the vote was: Yeas 121; Nays 1; Present but not voting: 1; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Poetter.

Present but not voting: Ousley.

Absent or not voting: Howard, Victors.

On motion of Rep. Landwehr, the House concurred in Senate amendments to **HB 2254**, AN ACT concerning funeral preparations; relating to prearranged funeral agreements; increasing the monetary cap on irrevocable agreements; relating to preparation of bodies for a funeral or cremation; removing the requirement to provide a permit to cremate in certain circumstances; authorizing electronic permits to cremate; amending K.S.A. 65-1762 and 65-2426a and K.S.A. 2020 Supp. 16-303 and repealing the existing sections; also repealing K.S.A. 65-2429.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Poetter.

Present but not voting: None.

Absent or not voting: Howard, Victors.

On motion of Rep. Tarwater, the House concurred in Senate amendments to **HB 2391**, AN ACT concerning the secretary of state; relating to duties and responsibilities thereof; providing for biennial filing of business reports; changing business filing provisions and requirements related to business names and electronic signatures; removing certain exemptions from the open records act for certain business tax records no longer required to be filed; UCC filings with improperly included social security numbers; other filing or information requirements; filing fees; repealing certain obsolete statutes including relating to blanket music licenses; publication and distribution of session laws, the Kansas register, proposed amendments to the constitution of the state of Kansas and Kansas administrative rules and regulations; permitting use of printing and binding services from the commercial market; amending K.S.A. 17-1513, 17-1618, 17-2037, 17-2711, 17-4677, 17-5902, 17-7509, 17-7511, 45-106, 45-315, 53-601, 56-1a151, 56-1a605, 56a-101, 64-103, 75-430, 75-433, 75-436, 75-446, 75-1005, 75-3520, 77-138, 77-417, 77-430, 77-430a, 77-431 and 77-438 and K.S.A. 2020 Supp. 17-2036, 17-2718, 17-4634, 17-6014, 17-6014, as amended by section 10 of this act, 17-7002, 17-7503, 17-7504, 17-7505, 17-7506, 17-7510, 17-7512, 17-76,136, 17-76,139, 17-76,146, 17-76,147, 17-78-601, 17-7903, 17-7904, 17-7905, 17-7906, 17-7910, 17-7910, as amended by section 31 of this act, 17-7936, 45-107, 45-229, 56-1a606, 56-1a607,

56a-1001, 56a-1201 and 56a-1202 and repealing the existing sections; also repealing K.S.A. 17-7507, 57-205, 57-206, 57-207 and 75-447.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Victors.

On motion of Rep. Hawkins, the House recessed until 9:15 p.m.

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#### NIGHT SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Arnberger, the House concurred in Senate amendments to **HB 2058**, AN ACT concerning crimes, punishment and criminal procedure; relating to firearms; reducing the underlying felonies for the crime of criminal possession of a weapon by a convicted felon; restoration of the right to possess firearms upon expungement of convictions; recognition of licenses under the personal and family protection act issued by other jurisdictions; {creating a provisional license for persons under the age of 21;} authorizing the issuance of alternative license during {certain circumstances}; amending K.S.A. {75-7c02,} 75-7c03 {, 75-7c04,} 75-7c05 {, 75-7c08 and 75-7c21} and K.S.A. 2020 Supp. {21-5914, 21-6301,} 21-6302 {, 21-6304, 21-6309, 21-6614 and 32-1002} and repealing the existing sections.

On roll call, the vote was: Yeas 80; Nays 43; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert,

Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Seiwert, Smith, A., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, K. Williams.

Nays: Alcalá, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Dodson, M., Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Schreiber, Smith, C., Stogsdill, Vaughn, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Victors.

#### EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **House Bill 2058**. The addition of the Senate amendment making it easier for felons to obtain a gun is a dangerous precedent that we should not stand for. Individuals as young as 18 and others with a dangerous background would be able to conceal carry, undermining the common sense laws that keep Kansas communities safe when people carry concealed firearms in public. We must not jeopardize the safety and well-being of Kansans, but instead work to ensure common sense legislation pass this chamber. — TOM SAWYER, STEPHANIE CLAYTON, VALDENIA C. WINN, JO ELLA HOYE, RUI XU, BARBARA W. BALLARD, MIKE AMYX, CINDY NEIGHBOR, SUSAN RUIZ, STEPHANIE BYERS, MARI-LYNN POSKIN, LINDA FEATHERSTON, LINDSAY VAUGHN, VIRGIL WEIGEL, JENNIFER DAY, ELIZABETH BISHOP, BRODERICK HENDERSON, JOHN ALCALÁ, SYDNEY CARLIN, CHRISTINA HASWOOD, JERRY STOGSDILL, LOUIS E. RUIZ, KATHY WOLFE MOORE

On motion of Rep. Arnberger, the House concurred in Senate amendments to **HB 2089**, AN ACT concerning education; relating to firearms; standardizing firearm safety education training programs in school districts; establishing the Roy'Alé act.

On roll call, the vote was: Yeas 79; Nays 44; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Averkamp, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Seiwert, Smith, A., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, K. Williams.

Nays: Alcalá, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Dodson, M., Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Newland, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Schreiber, Smith, C., Stogsdill, Vaughn, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Victors.

**MESSAGES FROM THE SENATE**

The Senate accedes to the request of the House for a conference on **HB 2224** and has appointed Senators Hilderbrand, Gossage and Pettey as conferees on the part of the Senate.

The Senate adopts the Conference Committee report on **HB 2183**.

The Senate adopts the Conference Committee report on **HB 2332**.

**CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2244** submits the following report:

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

On page 3, in line 28, after the period by inserting "Final "hemp products" may contain a tetrahydrocannabinol concentration of not more than 0.3%. As used in this paragraph, "tetrahydrocannabinol concentration" means the same as in K.S.A. 65-6235(b)(3), and amendments thereto.";

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

DAN KERCHEN

ALICIA STRAUB

MARY WARE

*Conferees on part of Senate*

KEN RAHJES

ERIC SMITH

SYDNEY CARLIN

*Conferees on part of House*

On motion of Rep. Rahjes, the conference committee report on **HB 2244** was adopted.

On roll call, the vote was: Yeas 101; Nays 22; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergquist, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton, Coleman, Concannon, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Eplee, Estes, Featherston, Finch, Finney, Francis, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Hoyer, Huebert, Humphries, Jennings, S. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Poskin, Probst, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Averkamp, Bergkamp, Blex, Burris, B. Carpenter, Collins, Corbet, Ellis, Esau, Fairchild, French, Garber, Helgeson, Howe, Jacobs, T. Johnson, Lee-Hahn, Murphy, Penn, Poetter, Proctor, Rhiley.

Present but not voting: None.

Absent or not voting: Howard, Victors.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **S Sub HB 2183** submits the following report:

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

On page 2, in line 7, after "be" by inserting "transmitted or"; also in line 7, after "person" by inserting "transmitting or"; in line 11, after "person" by inserting "transmitting or"; in line 14, after "(B)" by inserting "transmitted or"; also in line 14, by striking "five" and inserting "10"; in line 17, after "to" by inserting "transmit or"; in line 25, after "shall" by inserting "transmit or"; also in line 25, by striking "five" and inserting "10"; in line 27, after "(d)" by inserting "(1)"; also in line 27, by striking "this section" and inserting "subsection (a) or (b)"; following line 27, by inserting:

"(2) A violation of subsection (c) is a class B misdemeanor.";

Also on page 2, in line 28, after "is" by inserting "knowingly";

On page 3, in line 9, by striking "20th" and inserting "10<sup>th</sup>";

On page 5, in line 2, after "ballot" by inserting "or preventing the voter from having a signature consistent with such voter's registration form";

On page 7, in line 14, after "to" by inserting ":

(1)";

Also on page 7, in line 15, after "office" by inserting " or

(2) a candidate transmitting or delivering an advance voting ballot in accordance with section 2(b), and amendments thereto";

Also on page 7, following line 22, by inserting:

"New Sec. 9. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.";

And by renumbering sections accordingly;

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

LARRY ALLEY

RICHARD HILDERBRAND

OLETHA FAUST-GOUDEAU

*Conferees on part of Senate*

BLAKE CARPENTER

EMIL BERGQUIST

*Conferees on part of House*

On motion of Rep. Carpenter, B., the conference committee report on **S Sub HB 2183** was adopted.

On roll call, the vote was: Yeas 80; Nays 42; Present but not voting: 0; Absent or not voting: 3.

Yeas: Anderson, Arnberger, Awerkamp, Bergkamp, Bergquist, Blex, Borjon, Burris,

Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, K. Williams.

Nays: Alcalá, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgeson, Henderson, Highberger, Hoyer, Kuether, Miller, Neighbor, Ohaebosim, Orr, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Schreiber, Stogsdill, Vaughn, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Barker, Howard, Victors.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2332** submits the following report:

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

On page 2, in line 2, by striking "secretary of state" and inserting "county election officer"; in line 3, after "voter" by inserting "if the mailing address is different from the residential address"; in line 7, after "occupied" by inserting "and, if not, the person shall not be considered a validly registered voter"; also in line 7, by striking all after the period; by striking all in line 8; in line 9, by striking all before "The"; also in line 9, by striking "secretary" and inserting "county election officer"; in line 10, by striking all after "database"; by striking all in line 11; in line 12, by striking all before the period;

On page 7, following line 5, by inserting:

"Sec. 5. K.S.A. 73-213 is hereby amended to read as follows: 73-213. For the purposes of this act, ~~the following terms shall have the meanings ascribed to them by this section, unless the context clearly requires otherwise:~~

(a) ~~"Officer" means any officer or employee of the state of Kansas or any political subdivision thereof.~~ "Act" means K.S.A. 73-213 through 73-219, and amendments thereto.

(b) "Appointive authority" means the person, board, commission or other authority vested by law with power to appoint a successor for an officer when a vacancy occurs in the office or position held by such officer. If no person, board, commission, or other authority is vested by law with power to appoint a successor for an officer when a vacancy occurs then "appointive authority" means the governor of the state of Kansas.

~~(c)~~ (c) "Military service" means active service in the army, navy, ~~or~~ marine corps, air force, coast guard, space force, Kansas army or air national guard or any branch of the military reserves of the United States or any compulsory service rendered in any capacity to the federal government for the purpose of national defense.

~~(e)(d)~~ "Appointive authority" means the person, board, commission, or other authority vested by law with power to appoint a successor for an officer upon the

happening of a vacancy in the office or position held by such officer; but if no person, board, commission, or other authority is vested by law with power to appoint a successor for an officer upon the happening of such a vacancy, then "appointive authority" shall mean the governor of the state of Kansas. "Officer" means any officer or employee of the state of Kansas or any political subdivision thereof.

~~(d)~~(e) "Temporary vacancy" means a vacancy in an office or position caused by the absence in military service of the officer elected or appointed thereto. If the officer was originally elected or appointed for a definite term ~~such~~, "temporary vacancy" ~~shall mean~~ means the period of time beginning with the day such officer ~~shall enter the~~ enters military service and ending either with the day ~~he shall return~~ such officer returns from military service; or with the expiration of the appointed or elected term ~~for which he was elected or appointed~~, whichever period of time is ~~the~~ shorter. If the officer was originally appointed to ~~his~~ the office or position for an indefinite term or for a term expiring at the pleasure of the appointive authority, such "temporary vacancy" ~~shall mean~~ means the period of time beginning with the day such officer ~~shall enter the~~ enters military service and ending either with the day ~~he~~ such officer shall return from military service, or with the expiration of the appointive power of the original appointive authority, whichever period of time is ~~the~~ shorter.

Sec. 6. K.S.A. 73-214 is hereby amended to read as follows: 73-214. The absence of any officer from ~~his~~ an office or position caused by ~~his being in the~~ military service shall not create a forfeiture of; or vacancy in the office or position to which such officer was elected or appointed but shall be construed to ~~merely~~ create a temporary vacancy. Wherever the terms "forfeiture of office" or "vacancy in office" or other words of ~~similar import~~ like effect are used in any law of this state in relation to an officer such as defined in this act, ~~the same such terms or words~~ shall be construed in accordance with the provisions of this section and shall not be construed to apply to any absence of such officer who is absent from ~~his~~ an office or position by reason of ~~his being in the~~ military service.

Sec. 7. K.S.A. 73-215 is hereby amended to read as follows: 73-215. (a) (1) If an officer's military service creates a temporary vacancy that is determined by such officer to require a temporary appointment, such officer shall submit an approved form to the designated office as set out in paragraph (2).

(2) (A) If the officer is an elected state official, the form shall be approved by and filed with the secretary of state.

(B) If the officer is an elected official of a political subdivision, the form shall be filed with the county clerk of the county containing the largest portion of the territory of the political subdivision.

(C) If the officer is an employee who is not an elected official, the form shall be approved by and filed with the employee's human resources department or other official as determined by such officer's employer.

(3) The officer shall also submit an approved form to the designated office upon return from military service.

(b) In case ~~If an officer's military service creates~~ a temporary vacancy ~~is or has been created in any office or position by reason of the absence of the officer in the military service,~~ in an office or position and the form prescribed in (a) has been filed:

(1) The appointive authority for a partisan elective office shall appoint a person to temporarily fill such office or position using the procedures in K.S.A. 25-3901 et seq.,

and amendments thereto; and

(2) ~~The appointive authority shall for an elective office that is nonpartisan and for an employee who is not an elected official may~~ appoint ~~some~~ a person to temporarily fill the such office or position to which ~~such~~ officer was elected or appointed.

(c) ~~All such appointees shall hold the office or position which they are temporarily to fill during the such temporary vacancy caused by the absence of the officer in the military service.~~

Sec. 8. K.S.A. 73-218 is hereby amended to read as follows: 73-218. An officer who ~~shall be~~ is absent from ~~his an~~ office or position ~~and~~ while in ~~the~~ military service shall not be entitled to any compensation as such officer during such absence; ~~but upon his return.~~ If he return the officer returns before the expiration of the period of the temporary vacancy created by ~~his the officer's~~ absence, ~~he such officer~~ shall be entitled to immediate possession of ~~the such~~ office or position ~~from which he was absent and~~, upon reassuming the duties of the office, to receive the compensation for the remainder of the term to which the holder thereof is entitled, subject to removal from office according to law.

Sec. 9. K.S.A. 73-219 is hereby amended to read as follows: 73-219. The provisions of this act are declared to be severable and if any section, subsection, paragraph, be unconstitutional or provision of this act or its application to any person or circumstance is held invalid for any reason, it shall be presumed that this act would have been passed by the legislature without such invalid section, subsection, paragraph, sentence, provision, clause or phrase, and such decision shall not in any way affect the remainder of such invalidity shall not affect the other provisions or applications of this act.;

Also on page 7, in line 6, before "K.S.A." by inserting "K.S.A. 73-213, 73-214, 73-215, 73-218 and 73-219 and";

And by renumbering sections accordingly;

On page 1, in the title, by striking all in lines 2 through 10; in line 11, by striking all before the second semicolon and inserting "relating to the conduct of elections; providing for the appointment and duties of certain elected officials"; also in line 11, after "amending" by inserting "K.S.A. 73-213, 73-214, 73-215, 73-218 and 73-219 and";

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

LARRY ALLEY  
 RICHARD HILDERBRAND  
 OLETHA FAUST-GOUDEAU  
*Conferees on part of Senate*

BLAKE CARPENTER  
 EMIL BERGQUIST  
 VIC MILLER  
*Conferees on part of House*

On motion of Rep. Carpenter, B., the conference committee report on **HB 2332** was adopted.

On roll call, the vote was: Yeas 83; Nays 38; Present but not voting: 0; Absent or not voting: 4.

Yeas: Anderson, Amberger, Awerkamp, Baker, Bergkamp, Bergquist, Blex, Borjon,

Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Barker, Howard, Lynn, Victors.

#### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **HB 2074**.

The Senate adopts the Conference Committee report on **HB 2390**.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 55** 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 7 through 36;

By striking all on pages 2 through 4;

On page 5, by striking all in lines 1 through 4; following line 4, by inserting:

"Section 1. The provisions of sections 1 through 6, and amendments thereto, shall be known and may be cited as the fairness in women's sports act.

Sec. 2. The legislature hereby finds:

(a) There are "inherent differences between men and women," and that these differences "remain cause for celebration, but not for denigration of the members of either sex or for artificial constraints on an individual's opportunity," *United States v. Virginia*, 518 U.S. 515, 533 (1996);

(b) these "inherent differences" range from chromosomal and hormonal differences to physiological differences;

(c) men generally have "denser, stronger bones, tendons, and ligaments" and "larger hearts, greater lung volume per body mass, a higher red blood cell count, and higher haemoglobin," Neel Burton, *The Battle of the Sexes*, *Psychology Today* (July 2, 2012);

(d) men also have higher natural levels of testosterone, which affects traits such as hemoglobin levels, body fat content, the storage and use of carbohydrates, and the

development of type 2 muscle fibers, all of which result in men being able to generate higher speed and power during physical activity, Doriane Lambelet Coleman, *Sex in Sport*, 80 *Law and Contemporary Problems* 63, 74 (2017) (quoting Gina Kolata, *Men, Women and Speed. 2 Words: Got Testosterone?*, *N.Y. Times* (Aug. 21, 2008));

(e) the biological differences between females and males, especially as it relates to natural levels of testosterone, "explain the male and female secondary sex characteristics which develop during puberty and have lifelong effects, including those most important for success in sport: categorically different strength, speed, and endurance," Doriane Lambelet Coleman and Wickliffe Shreve, "Comparing Athletic Performances: The Best Elite Women to Boys and Men," *Duke Law Center for Sports Law and Policy*;

(f) while classifications based on sex are generally disfavored, the United States Supreme Court has recognized that "sex classifications may be used to compensate women for particular economic disabilities [they have] suffered, to promote equal employment opportunity, [and] to advance full development of the talent and capacities of our Nation's people," *United States v. Virginia*, 518 U.S. 515, 533 (1996);

(g) one place where sex classifications allow for the "full development of the talent and capacities of our Nation's people" is in the context of sports and athletics;

(h) courts have recognized that the inherent, physiological differences between males and females result in different athletic capabilities. See e.g. *Kleczek v. Rhode Island Interscholastic League, Inc.*, 612 A.2d 13 734, 738 (R.I. 1992) ("Because of innate physiological differences, boys and girls are not similarly situated as they enter athletic competition."); *Petrie v. Ill. High Sch. Ass'n*, 394 N.E.2d 855, 861 (Ill. App. Ct. 1979) (noting that "high school boys [generally possess physiological advantages over] their girl counterparts" and that those advantages give them an unfair lead over girls in some sports like "high school track");

(i) a recent study of female and male Olympic performances since 1983 found that, although athletes from both sexes improved over the time span, the "gender gap" between female and male performances remained stable. "These suggest that women's performances at the high level will never match those of men." Valerie Thibault et al., *Women and men in sport performance: The gender gap has not evolved since 1983*, 9 *Journal of Sports Science and Medicine* 214, 219 (2010);

(j) as Duke law professor and All-American track athlete Doriane Coleman, tennis champion Martina Navratilova, and Olympic track gold medalist Sanya Richards-Ross recently wrote: "The evidence is unequivocal that starting in puberty, in every sport except sailing, shooting, and riding, there will always be significant numbers of boys and men who would beat the best girls and women in head-to-head competition. Claims to the contrary are simply a denial of science," Doriane Coleman, Martina Navratilova, et al., *Pass the Equality Act, But Don't Abandon Title IX*, *Washington Post* (Apr. 29, 2019);

(k) the benefits that natural testosterone provides to male athletes is not diminished through the use of puberty blockers and cross-sex hormones. A recent study on the impact of such treatments found that even "after 12 months of hormonal therapy," a man who identifies as a woman and is taking cross-sex hormones "had an absolute

advantage" over female athletes and "will still likely have performance benefits" over women, Tommy Lundberg et al., "Muscle strength, size and composition following 12 months of gender-affirming treatment in transgender individuals: retained advantage for the transwomen," Karolinksa Institutet (Sept. 26, 2019); and

(l) having separate sex-specific teams furthers efforts to promote sex equality. Sex-specific teams accomplish this by providing opportunities for female athletes to demonstrate their skill, strength and athletic abilities while also providing them with opportunities to obtain recognition and accolades, college scholarships and the numerous other long-term benefits that flow from success in athletic endeavors.

Sec. 3. (a) Interscholastic, intercollegiate, intramural or club athletic teams or sports that are sponsored by a public elementary or secondary school, a postsecondary educational institution, as such term is defined in K.S.A. 74-3201b, and amendments thereto, or any school or other postsecondary educational institution whose students or teams compete against a public school or postsecondary educational institution shall be expressly designated as one of the following based on biological sex:

- (1) Males, men or boys;
- (2) females, women or girls; or
- (3) coed or mixed.

(b) Athletic teams or sports designated for females, women or girls shall not be open to students of the male sex.

(c) (1) The Kansas state high school activities association shall adopt rules and regulations for its member schools for the implementation of this section.

(2) The state board of regents and the governing body for each municipal university, community college and technical college shall adopt rules and regulations for the postsecondary educational institutions governed by each such entity, respectively, for the implementation of this section.

Sec. 4. No governmental entity, licensing or accrediting organization or athletic association or organization shall entertain a complaint, open an investigation or take any other adverse action against a school or postsecondary educational institution for maintaining separate interscholastic, intercollegiate, intramural or club athletic teams or sports for students of the female sex.

Sec. 5. (a) Any student who is deprived of an athletic opportunity or suffers any direct or indirect harm as a result of a violation of section 3, and amendments thereto, shall have a private cause of action for injunctive relief, damages and any other relief available under law against the school or postsecondary educational institution.

(b) Any student who is subject to retaliation or other adverse action by a school, postsecondary educational institution or athletic association or organization as a result of reporting a violation of section 3, and amendments thereto, to an employee or representative of such school, postsecondary educational institution or athletic association or organization, or to any state or federal agency with oversight of schools or postsecondary educational institutions in this state, shall have a private cause of action for injunctive relief, damages and any other relief available under law against the

school, institution or athletic association or organization.

(c) Any school or postsecondary educational institution that suffers any direct or indirect harm as a result of a violation of section 3 or 4, and amendments thereto, shall have a private cause of action for injunctive relief, damages and any other relief available under law against the governmental entity, licensing or accrediting organization or athletic association or organization.

(d) All civil actions must be initiated within two years after the harm occurred. Persons or organizations who prevail on a claim brought pursuant to this section shall be entitled to monetary damages, including for any psychological, emotional and physical harm suffered, reasonable attorney fees and costs and any other appropriate relief.

Sec. 6. The provisions of sections 1 through 5, and amendments thereto, are hereby declared to be severable. If any provision of sections 1 through 5, and amendments thereto, or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of sections 1 through 5, and amendments thereto, that can be given effect without the invalid provision or application.";

Also on page 5, in line 6, by striking "Kansas register" and inserting "statute book";

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 and 3; in line 4, by striking all before the period and inserting "education; relating to student athletes; creating the fairness in women's sports act; restricting participation on women's teams to female students; providing a cause of action for violations";

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

KRISTEY WILLIAMS

STEVEN HUEBERT

*Conferees on part of House*

MOLLY BAUMGARDNER

RENEE ERICKSON

*Conferees on part of Senate*

On motion of Rep. Wasinger, to adopt the conference committee report on **SB 55**, Rep. Samsel offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed.

The substitute motion of Rep. Samsel did not prevail and the question reverted back to the original motion of Rep. Wasinger to adopt the conference committee report.

On motion of Rep. Wasinger, the conference committee report on **SB 55** was adopted.

On roll call, the vote was: Yeas 76; Nays 43; Present but not voting: 0; Absent or not voting: 6.

Yeas: Anderson, Arnberger, Awerkamp, Bergkamp, Bergquist, Blex, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs,

Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Mason, Minnix, Moser, Murphy, Neely, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Resman, Rhiley, Ryckman, Sanders, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcala, Amyx, Baker, Ballard, Bishop, Borjon, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Concannon, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ralph, Ruiz, S., Samsel, Sawyer, Schreiber, Stogsdill, Vaughn, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Barker, Howard, Lynn, Ruiz, L., Thompson, Victors.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: Telling kids they aren't "girl enough" can push a girl, trans or not, to take their own life. (From an aforementioned note.) "The only way I will rest in peace is if one day transgender people aren't treated the way I was, they're treated like humans, with valid feelings and human rights. My death needs to mean something. My death needs to be counted in the number of transgender people who commit suicide this year. I want someone to look at that number and say, "that's f\*\*\*ed up" and fix it. Fix society. Please." There've been too many vigils for trans kids who've taken their own lives. I vote "NO" on **SB 55**. – STEPHANIE BYERS, AARON COLEMAN

MR. SPEAKER: There has been no evidence presented of any problems related to transgender kids in girls sports in Kansas. This bill is identical or at least very similar to a bill drafted by the so-called Alliance Defending Freedom and introduced in states all over the country. This is not about protecting girls or women's sports, it's about scoring points in the culture wars. I have a simple request – instead of wasting our time with things like this and instead of finding new ways to persecute people for being the way God made them, why don't we work on expanding our understanding and our compassion instead? Mr. Speaker, I vote NO on CCR **SB 55**. – BOOG HIGHBERGER, VIC MILLER, JOHN CARMICHAEL, TOM SAWYER

MR. SPEAKER: I vote "NO" on CCR **SB 55**. This bill was not heard in committee. It has serious flaws, including constitutional and legal. Further problematic, it subjects Kansas to countless lawsuits uncapped in amount and compounded by an attorney fee provision. Practically, it hampers our State's ability to attract new business or recruit or retain workers to Kansas. It also jeopardizes our ability to land and host conventions or sporting events, like the World Cup or the 2022 NCAA basketball tournament in Wichita. – MARK SAMSEL

MR. SPEAKER: I vote no on **SB 55**. When "what ifs" are used as a basis for excluding people, fear and hate drive policy. Prohibiting transgender teens from participating in sports is discrimination. School and state policy should always stem from a place of inclusion, not exclusion. Proponents assert that they are protecting their daughters and young women. I would like to be clear: we do not need your protection and we do not want to be the scapegoats for discriminatory ideals. This bill does not support women, because supporting women means supporting all women. – LINDSAY VAUGHN, JENNIFER DAY

MR. SPEAKER: I strongly vote Yes on **SB 55**. This bill recognizes the fundamental differences between men and women in competitive sports. It uses the only fair metric, biology, as the means to organize the divisions in our sports. Contrary to the critics of this bill, **SB 55** includes everyone. The use of a men's or co-ed designation means everyone gets to play. Supporters of this measure run across the traditional political spectrum. As the number of "gender identities" is now in the dozens, this legislation provides clarity for schools and colleges as to how to efficiently and compassionately sort the competitors. – PAUL WAGGONER

#### **REPORT ON ENGROSSED BILLS**

**HB 2071** reported correctly engrossed April 6, 2021.

**S Sub HB 2104, HB 2165, HB 2247** reported correctly re-engrossed April 7, 2021.

**HB 2167, HB 2245**, reported correctly engrossed April 7, 2021.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HCR 5015, HCR 5019, HR 6015** reported correctly enrolled and properly signed on April 8, 2021.

On motion of Rep. Hawkins, the House adjourned until 10:00 a.m., Friday, April 9, 2021.

# Journal of the House

FIFTY-NINTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, April 9, 2021, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 123 members present.  
Reps. Howard and Victors were excused on verified illness.

Prayer by Representative Sawyer:

Gracious God  
Your Word tells us that  
“the fruit of the Spirit is love, joy,  
peace, patience, kindness, goodness,  
faithfulness, gentleness and self-controlled.”  
Today, may our words be spoken with  
kindness and gentleness.  
Help us to maintain self-control in our disagreements.  
Hold us faithful and accountable  
to our constituents in that what we decide  
will be for their good,  
and will provide justice for all.  
Fill us with patience, as the discussions  
may take more time than we like.  
Help us keep the joy in our attitude of service.  
May we be at peace with the decisions made  
as we follow your commands to love one another.  
And, may Your love permeate our lives.  
In Your Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Vaughn.

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2390** submits the following report:

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

On page 1, following line 9, by inserting:

"New Section 1. (a) It shall be unlawful for any person to:

(1) Cause to be presented to a recorder of record for filing in any public record any lien or claim against any real or personal property when such person knows or reasonably should know that such lien or claim is false or contains any materially false, fictitious or fraudulent statement or representation;

(2) cause to be presented to a recorder of record for filing in any public record any document that purports to assert a lien against real or personal property of any person or entity that is not expressly provided for by the constitution or laws of this state or of the United States, does not depend on the consent of the owner of the real or personal property affected and is not an equitable or constructive lien imposed by a court with jurisdiction created or established under the constitution or laws of this state or of the United States;

(3) cause to be presented to a recorder of record for filing in any public record any financing statement pursuant to article 9 of chapter 84 of the Kansas Statutes Annotated, and amendments thereto, when such person knows or reasonably should know that the financing statement is not based on a bona fide security agreement or was not authorized or authenticated by the alleged debtor identified in the financing statement or an authorized representative of the alleged debtor;

(4) cause to be presented to a recorder of record for filing in any public record any document filed in an attempt to harass an entity, individual or public official, or obstruct a governmental operation or judicial proceeding, when such person knows or reasonably should know that the document contains false information; or

(5) violate a court order issued pursuant to K.S.A. 58-4301, and amendments thereto.

(b) Violation of this section is a severity level 8, nonperson felony.

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

On page 21, in line 36, after "offense" by inserting "described";

On page 23, in line 11, by striking ", which"; in line 12 by striking "records" and inserting "that"; in line 20, by striking ", which"; in line 21 by striking "records" and inserting "that";

On page 24, in line 19, by striking "which" and inserting "that"

On page 26, in line 33, by striking "which" and inserting "that"; in line 37, by striking ", and amendments thereto,"; in line 41, after "of" by inserting a colon; in line 42, by striking the second comma and inserting "; a"; also in line 42, by striking the third comma and inserting "; a"; also in line 42, by striking the fourth comma and inserting "; a"; in line 43, by striking "or" and inserting "; a"; in line 43, after the second "officer" by inserting "; a local correctional officer or local detention officer; a federal judge; a justice of the supreme court; a judge of the court of appeals; a district judge; a district magistrate judge; a municipal judge; a presiding officer who conducts hearings pursuant to the Kansas administrative procedure act; an administrative law judge employed by the office of administrative hearings; a member of the state board of tax appeals; an administrative law judge who conducts hearings pursuant to the workers compensation act; a member of the workers' compensation appeals board; the United States attorney

for the district of Kansas; an assistant United States attorney; a special assistant United States attorney; the attorney general; an assistant attorney general; a special assistant attorney general; a county attorney; an assistant county attorney; a special assistant county attorney; a district attorney; an assistant district attorney; a special assistant district attorney; a city attorney; an assistant city attorney; or a special assistant city attorney";

On page 27, in line 1, by striking "individual officer" and inserting "person"; in line 2, by striking "officer's" and inserting "person's"; in line 4, by striking "officer's" and inserting "person's"; in line 6, by striking "officer" and inserting "person"; in line 8, by striking all after "(52)"; by striking all in lines 9 through 25; in line 26, by striking "(53)";

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

On page 34, following line 17, by inserting:

"Sec. 14. K.S.A. 2020 Supp. 58-4301 is hereby amended to read as follows: 58-4301. (a) (1) Any person who owns real or personal property or an interest in real or personal property or who is the purported debtor or obligor and who has reason to believe that any document or instrument purporting to create a lien or claim against the real or personal property or an interest in real or personal property previously filed or submitted for filing and recording is fraudulent as defined in subsection (e) may complete and file, at any time without any time limitation, with the district court of the county in which such lien or claim has been filed or submitted for filing, or with the district court of the county in which the property or the rights appertaining thereto is situated, a motion for judicial review of the status of documentation or instrument purporting to create a lien or claim as provided in this section. Such motion shall be supported by the affidavit of the movant or the movant's attorney setting forth a concise statement of the facts upon which the claim for relief is based. Such motion shall be deemed sufficient if in substantial compliance with the form set forth by the judicial council.

(2) The completed form for ordinary certificate of acknowledgment shall be deemed sufficient if in substantial compliance with the form set forth by the judicial council.

(3) The clerk of the district court shall not collect a filing fee for filing a motion as provided in this section.

(b) The court's findings may be made solely on a review of the documentation or instrument attached to the motion and without hearing any testimonial evidence. The district court's review may be made ex parte without delay or notice of any kind. An appellate court shall expedite review of a district court's findings as provided in this section.

(c) (1) After review, the district court shall enter appropriate findings of fact and conclusions of law in a form as provided in subsection (d) regarding the documentation or instrument purporting to create a lien or claim, which shall be filed and indexed in the same filing office in the appropriate class of records in which the original documentation or instrument in question was filed.

(2) The court's findings of fact and conclusions of law may include an order setting aside the lien and directing the filing officer to nullify the lien instrument purporting to create the lien or claim. If the lien or claim was filed pursuant to the uniform

commercial code, such order shall act as a termination statement filed pursuant to such code.

(3) The filing officer shall not collect a filing fee for filing a district court's findings of fact and conclusions of law as provided in this section.

(4) If the court orders that the lien or claim is set aside, the court's findings of fact and conclusions of law shall also include:

(A) An order prohibiting the person who filed such lien or claim from filing any future lien or claim with any filing officer without approval of the court that enters the order; and

(B) a provision stating that a violation of the order may subject the party in violation to civil and criminal penalties.

(5) A copy of the findings of fact and conclusions of law shall be mailed to the movant and the person who filed the lien or claim at the last known address of each person within seven days of the date that the findings of fact and conclusions of law is issued by the district court.

(d) The findings of fact and conclusions of law shall be deemed sufficient if in substantial compliance with the form set forth by the judicial council.

(e) As used in this section, a document or instrument is presumed to be fraudulent if the document or instrument purports to create a lien or assert a claim against real or personal property or an interest in real or personal property and:

(1) Is not a document or instrument provided for by the constitution or laws of this state or of the United States;

(2) is not created by implied or express consent or agreement of the obligor, debtor or the owner of the real or personal property or an interest in the real or personal property, if required under the laws of this state, or by implied or express consent or agreement of an agent, fiduciary or other representative of that person; or

(3) is not an equitable, constructive or other lien imposed by a court with jurisdiction created or established under the constitution or laws of this state or of the United States.

(f) As used in this section, filing office or filing officer refers to the officer and office where a document or instrument as described in this section is appropriately filed as provided by law, including, but not limited to, the register of deeds, the secretary of state and the district court and filing officers related thereto.

Sec. 15. K.S.A. 2020 Supp. 58-4302 is hereby amended to read as follows: 58-4302. (a) After the court has made a finding that a lien or claim is fraudulent pursuant to K.S.A. 58-4301, and amendments thereto, the aggrieved person may bring a civil action for damages and injunctive relief against the person who filed or recorded the fraudulent documents. No action may be brought under this section against the filing office or filing officer as those terms are described in ~~subsection (f) of~~ K.S.A. 58-4301~~(f)~~, and amendments thereto.

(b) In such an action, the burden shall be on the plaintiff to prove by a preponderance of the evidence that the defendant knew or should have known that the documents filed or recorded were in violation of K.S.A. 58-4301, and amendments thereto.

(c) Such an action shall be bifurcated from an action under K.S.A. 58-4301, and amendments thereto, and service shall be made in accordance with article 3 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto.

(d) The court shall award the prevailing party the costs of the proceeding arising under this section and may award the prevailing party reasonable ~~attorney's~~ attorney fees.

(e) After trial, and if the court makes a finding that a lien or claim is fraudulent pursuant to K.S.A. 58-4301, and amendments thereto, the court may:

(1) Order the defendant to pay actual and liquidated damages up to \$10,000 or, if actual damages exceed \$10,000, all actual damages, to the plaintiff for each violation of K.S.A. 58-4301, and amendments thereto;

(2) enjoin the defendant from filing any future liens or claims, or future liens or claims against persons specified by the court, with any filing officer without approval of the court that enters the order; and

(3) enjoin the defendant from filing any future liens or claims that would violate K.S.A. 58-4301, and amendments thereto.

(f) Any order set forth in subsection (e) shall be subject to modification and termination by the court that enters the order. Such order shall also include a provision stating that a violation of the order may subject the party in violation to civil and criminal penalties.

~~(g) Each violation of any order set forth in subsection (e) may be considered contempt of court, punishable by a fine not to exceed \$1,000, imprisonment in the county jail for not more than 120 days, or both such fine and imprisonment.";~~

On page 39, in line 9, by striking "and" and inserting a comma; also in line 9, after "45-254" by inserting ", 58-4301 and 58-4302";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "public"; also in line 1, after "records" by inserting "and recordation; prohibiting the filing of certain liens or claims against real or personal property and creating criminal penalties"; also in line 1, by striking "thereof" and inserting "of public records"; in line 4, after the semicolon by inserting "restricting access to identifying information of local correctional officers or local detention officers and administrative hearing officers;"; in line 7, by striking the first "and" and inserting a comma; also in line 7, after "45-254" by inserting ", 58-4301 and 58-4302";

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

ELAINE BOWERS  
CAROLYN MCGINN  
OLETHA FAUST - GOUDEAU  
*Conferees on part of Senate*

FRED PATTON  
BRADLEY RALPH  
JOHN CARMICHAEL  
*Conferees on part of House*

On motion of Rep. Patton, the conference committee report on **HB 2390** was adopted.

On roll call, the vote was: Yeas 121; Nays 2; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon,

Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Bishop, Kuether.

Present but not voting: None.

Absent or not voting: Howard, Victors.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2074** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2074, as follows:

On page 4, following line 3, by inserting:

"(14) "trust" means a trust created pursuant to the Kansas uniform trust code, K.S.A. 58a-101 et seq., and amendments thereto, or created pursuant to the Kansas business trust act of 1961, K.S.A. 17-2707 et seq., and amendments thereto;"

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

Also on page 4, in line 19, after the period by inserting "Except as provided in section 25, and amendments thereto, the state banking board shall not approve any application until the Beneficient conditional charter has been converted to a full charter and the commissioner has completed a regulatory examination.";

On page 7, in line 5, after the second comma by inserting "third-party fees for consultants or other entities necessary to assist the commissioner,";

On page 11, in line 9, by striking "the"; by striking all in lines 10 through 12; in line 13, by striking all before "unless" and inserting "in such institution's name the words "bank" or "trust company" without reference to fidfin trusts or any other term that tends to imply that such fiduciary financial institution is a bank or trust company,"; in line 14, after the period by inserting "While a fiduciary financial institution is a trust company for purposes of federal and state law and rules and regulations and possesses trust powers under this act, it is the intent of this section to impose restrictions on the name of such institution to avoid confusion with other banks and trust companies that operate in this state but that are not fiduciary financial institutions. The naming restrictions imposed under this section shall in no way reduce or eliminate the trust powers granted to a fiduciary financial institution as a trust company under this act. Other than indicating that the fiduciary financial institution is headquartered and chartered in Kansas, no fiduciary financial institution's name or advertising shall infer or imply that such fiduciary financial institution is endorsed by, an affiliate of or otherwise connected

with the government of the state of Kansas.";

On page 15, in line 10, by striking "servcies" and inserting "services";

On page 19, in line 5, by striking all after "(b)"; by striking all in lines 6 through 32; in line 33, by striking all before the period and inserting "The commissioner may, upon a written request from a fiduciary financial institution prior to a form submission, offer to review a form and reply with informational comments only. Such informational comments shall not, in any manner, constitute approval or endorsement of such form, and the fiduciary financial institution shall not represent that such form has been approved by the office of the state bank commissioner"; in line 34, before "Pursuant" by inserting "(a)"; following line 36, by inserting:

"(b) The office of the state bank commissioner may enter into contracts for technical assistance and professional services as are necessary to administer the provisions of this act and to meet the deadline for the adoption of rules and regulations provided by this section. Such contracts shall be exempt from the requirements of K.S.A. 75-3739, 75-37,102 and 75-37,132, and amendments thereto, or any other statute relating to the procurement of such services.";

On page 20, in line 27, after "a" by inserting "conditional"; in line 28, after "upon" by inserting "the";

On page 21, in line 8, after "the" by inserting "conditional"; following line 30, by inserting:

"(c) On or before January 10, 2022, the office of the state bank commissioner shall provide a report to the house of representatives financial institutions and rural development committee and the senate financial institutions and insurance committee updating such committees on the progress of such pilot program. Such report shall include recommendations from the office of the state bank commissioner for any legislation necessary to implement the provisions of this act.";

On page 23, in line 25, after the period by inserting "Tax credits allowed and earned under this section shall not be sold, assigned, conveyed or otherwise transferred."; in line 35, after "(h)" by inserting "In any taxable year, a fiduciary financial institution shall pay the greater of the qualified charitable distributions made during such taxable year or the tax liability of a fiduciary financial institution imposed pursuant to the Kansas income tax act or the privilege tax imposed upon a fiduciary financial institution pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto.

(i)";

Also on page 23, following line 36, by inserting:

"Sec. 29. (a) There is hereby created the joint committee on fiduciary financial institutions oversight, which shall be composed of four senators and five members of the house of representatives. The four senate members shall be the chairperson of the standing committee on financial institutions and insurance of the senate, or a member of such committee appointed by the chairperson, two members appointed by the president of the senate and one member appointed by the minority leader of the senate. The five representative members shall be the chairperson of the standing committee on financial institutions and rural development of the house of representatives, or a member of such committee appointed by the chairperson, two members appointed by the speaker of the house of representatives and two members appointed by the minority leader of the house of representatives.

(b) All members of the joint committee on fiduciary financial institutions oversight shall serve for terms ending on the first day of the regular legislative session in odd-numbered years. On and after the first day of the regular legislative session in odd-numbered years, the chairperson shall be one of the representative members of the joint committee selected by the speaker of the house of representatives, and the vice chairperson shall be one of the senate members selected by the president of the senate. On and after the first day of the regular legislative session in even-numbered years, the chairperson shall be one of the senate members of the joint committee selected by the president of the senate and the vice chairperson shall be one of the representative members of the joint committee selected by the speaker of the house of representatives. The chairperson and vice chairperson of the joint committee shall serve in such capacities until the first day of the regular legislative session in the ensuing year. The vice chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson.

(c) A quorum of the joint committee on fiduciary financial institutions oversight shall be a majority of the members. The joint committee on fiduciary financial institutions oversight shall meet at any time and at any place within the state on call of the chairperson. Members of the joint committee shall receive compensation, travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212, and amendments thereto, when attending meetings of such committee authorized by the legislative coordinating council.

(d) In accordance with K.S.A. 46-1204, and amendments thereto, the legislative coordinating council may provide for such professional services as may be requested by the joint committee on fiduciary financial institutions oversight.

(e) The joint committee on fiduciary financial institutions oversight may introduce such legislation as deemed necessary in performing such committee's functions.

(f) The joint committee on fiduciary financial institutions oversight shall:

(1) Monitor, review and make recommendations regarding fiduciary financial institutions' operations in the state of Kansas;

(2) monitor, review and make recommendations regarding the fiduciary financial institutions pilot program established in section 25, and amendments thereto; and

(3) receive a report from the office of the state bank commissioner prior to December 31, 2021, providing an update on the implementation of the technology-enabled fiduciary financial institutions act and the pilot program established in section 25, and amendments thereto. Such report shall include recommendations from the office of the state bank commissioner for any legislation necessary to implement the provisions of the technology-enabled fiduciary financial institutions act.

(g) The office of the state bank commissioner shall appear annually before the joint committee and shall present a report on the fiduciary financial institution industry.":

And by renumbering sections accordingly;

On page 1, in the title, in line 9, after "distributions" by inserting "; creating the joint committee on fiduciary financial institutions oversight";

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

JEFF LONGBINE

MICHAEL FAGG

JEFF PITTMAN

*Conferees on part of Senate*

JIM KELLY

NICK HOHEISEL

RUI XU

CONFEREES ON PART OF HOUSE

On motion of Rep. Kelly, the conference committee report on **HB 2074** was adopted.

On roll call, the vote was: Yeas 103; Nays 20; Present but not voting: 0; Absent or not voting: 2.

Yeas: Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Coleman, Collins, Concannon, Croft, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Orr, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Ralph, Resman, Rhiley, Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Woodard, Xu.

Nays: Alcalá, Burroughs, Carmichael, Clayton, Corbet, Curtis, Fairchild, Finney, Helgerson, Henderson, Lee-Hahn, Miller, Ohaebosim, Ousley, Rahjes, Ruiz, L., Stogsdill, Weigel, Winn, Wolfe Moore.

Present but not voting: None.

Absent or not voting: Howard, Victors.

### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 86** 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 7 through 36;

By striking all on pages 2 through 10;

On page 11, by striking all in lines 1 through 25 and inserting:

"New Section 1. (a) Sections 1 through 7, and amendments thereto, shall be known and may be cited as the Kansas extraordinary utility costs loan deposit program.

(b) The Kansas extraordinary utility costs loan deposit program shall be a part of and supplemental to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 2. As used in the Kansas extraordinary utility costs loan deposit program:

(a) "Director of investments" means the person appointed as the director of investments pursuant to K.S.A. 75-4222, and amendments thereto;

(b) "eligible borrower" means any wholesale natural gas customer located in the state of Kansas that incurs extraordinary natural gas costs due to the extreme winter weather event of February 2021 and is not an individual obtaining a loan for personal, family or household purposes; and

(c) "eligible lending institution" means a financial institution that is:

(1) A bank, as defined under K.S.A. 75-4201, and amendments thereto, that agrees to participate in the program and is eligible to be a depository of state funds;

(2) a credit union, as defined under K.S.A. 17-2231, and amendments thereto, that agrees to participate in the program and that provides securities acceptable to the pooled money investment board pursuant to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto; or

(3) an institution of the farm credit system organized under the federal farm credit act of 1971, 12 U.S.C. § 2001, as in effect on the effective date of this act, having at least one branch in the state of Kansas and that agrees to participate in the program and that provides securities acceptable to the pooled money investment board pursuant to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(d) "extraordinary utility costs loan deposit" means an investment account placed by the director of investments under the provisions of article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto, with an eligible lending institution for the purpose of carrying out the intent of the Kansas extraordinary utility costs loan deposit program;

(e) "extraordinary utility costs loan deposit loan" or "loan" means a loan made by an eligible lending institution to an eligible borrower from the eligible lending institution's extraordinary utility cost loan deposit as part of the Kansas extraordinary utility costs loan deposit program;

(f) "extraordinary utility costs loan deposit loan package" means the forms provided by the state treasurer for the purpose of applying for an extraordinary utility costs loan deposit;

(g) "extraordinary utility costs loan deposit program" or "program" means a state-administered program in which eligible lenders are charged less than the market rate of interest and eligible borrowers receive a reduction in interest charged on a loan in the amount of the deposit;

New Sec. 3. (a) (1) The state treasurer is hereby authorized to administer the Kansas extraordinary utility costs loan deposit program.

(2) The program shall be for the purpose of providing incentives for the making of loans to eligible borrowers for extraordinary natural gas costs incurred during the extreme winter weather event of February 2021.

(3) The total aggregate amount of extraordinary utility costs loan deposit loans under the program shall not exceed the amount of unencumbered funds pursuant to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto,

certified by the state treasurer and directed to be reinvested pursuant to section 17, and amendments thereto.

(4) (A) Notwithstanding the provisions of any statute to the contrary, a school district, as defined in K.S.A. 72-6486, and amendments thereto, that is an eligible borrower is hereby authorized to enter into loan agreements under the program.

(B) The provisions and restrictions of the cash basis and budget laws of this state shall not apply to any loan received by a school district under the program.

(C) To the extent that any of the provisions of sections 1 through 7, and amendments thereto, conflict with the provisions of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, the provisions of sections 1 through 7, and amendments thereto, shall control.

(D) Any loan made to a school district under the program shall not be considered bonded indebtedness for the purpose of any statute imposing a limitation on indebtedness of a school district.

(b) The state treasurer shall adopt all rules and regulations necessary to enact and administer the provisions of the Kansas extraordinary utility costs loan deposit program. Such rules and regulations shall be adopted not later than February 1, 2022.

(c) The state treasurer shall submit an annual report to the governor and the legislature identifying the eligible lending institutions that are participating in the program and the eligible borrowers who have received an extraordinary utility costs loan deposit loan. The annual report shall provide the aggregate amount of moneys loaned and the amount of moneys still available for loan, if any. Such report shall be due on or before January 1, 2023, and each January 1 thereafter.

(d) The legislature shall perform a review of the program as a part of the state treasurer's annual report on or after January 1, 2024.

New Sec. 4. (a) The state treasurer is hereby authorized to disseminate information and to provide extraordinary utility costs loan deposit loan packages to the lending institutions eligible for participation in the Kansas extraordinary utility costs loan deposit program.

(b) The extraordinary utility costs loan deposit loan package shall be completed by the eligible borrower before being forwarded to the lending institution for consideration.

(c) (1) An eligible lending institution that agrees to receive an extraordinary utility costs loan deposit shall accept and review applications for loans from eligible borrowers.

(2) The lending institution shall apply all usual lending standards to determine the creditworthiness of eligible borrowers.

(3) No single extraordinary utility costs loan deposit loan shall exceed \$500,000.

(4) Only one extraordinary utility costs loan deposit loan shall be made and be outstanding at any one time to any eligible borrower.

(5) No loan shall be amortized for a period of more than three years.

(d) An eligible borrower shall certify on the loan application that the reduced rate loan will be used exclusively for the expenses involved in the borrower's utility costs in Kansas incurred during the extreme winter weather event of February 2021.

(e) The eligible lending institution may approve or reject an extraordinary utility costs loan deposit loan package based on the lending institution's evaluation of the eligible borrowers included in the package, the amount of the individual loan in the package and other appropriate considerations.

(f) The eligible lending institution shall forward to the state treasurer an approved extraordinary utility costs loan deposit loan package in the form and manner prescribed and approved by the state treasurer. The package shall include information regarding the amount of the loan requested by each eligible borrower and such other information regarding each eligible borrower that the state treasurer may require. Such package shall include a certification by the applicant that such applicant is an eligible borrower.

New Sec. 5. (a) The state treasurer may accept or reject an extraordinary utility costs loan deposit loan package based on the state treasurer's evaluation of whether the loan to the eligible borrower meets the requirements of the Kansas extraordinary utility costs loan deposit program. If sufficient funds are not available for an extraordinary utility costs loan deposit, then the applications may be considered in the order received when funds are once again available, subject to a review by the lending institution. The fact that an eligible borrower received a loan under the Kansas economic recovery loan deposit program shall not preclude such eligible borrower from receiving a loan under this program.

(b) Upon acceptance, the state treasurer shall certify to the director of investments the amount required for such extraordinary utility costs loan deposit loan package, and the director of investments shall place an extraordinary utility costs loan deposit in the amount certified by the state treasurer with the eligible lending institution at an interest rate that is 2% below the market rate as provided in K.S.A. 75-4237, and amendments thereto, and that shall be recalculated on the first business day of January of each year using the market rate then in effect. The minimum interest rate shall be 0.25% if the market rate is below 2.25%. When necessary, the state treasurer may request the director of investments to place such extraordinary utility costs loan deposit with the eligible lending institution prior to acceptance of an extraordinary utility costs loan deposit loan package.

(c) The eligible lending institution shall enter into an extraordinary utility costs loan deposit agreement with the state treasurer. Such agreement shall include requirements necessary to implement the purposes of the Kansas extraordinary utility costs loan deposit program. Such requirements shall include an agreement by the eligible lending institution to lend an amount equal to the extraordinary utility costs loan deposit to eligible borrowers at an interest rate that is not more than 3% greater than the interest rate on extraordinary utility costs loan deposits as provided in subsection (b). Such rate shall be recalculated on the first business day of January of each year using the market rate then in effect. The agreement shall include provisions for the extraordinary utility costs loan deposit to be placed for a period of time not to exceed three years and that is considered appropriate in coordination with the underlying extraordinary utility costs loan. The agreement shall include provisions for

the reduction of the extraordinary utility costs loan deposit in an amount equal to any payment of loan principal by the eligible borrower.

New Sec. 6. Upon the placement of an extraordinary utility costs loan deposit with an eligible lending institution, the institution shall fund the loan to each approved eligible borrower listed in the extraordinary utility costs deposit loan package in accordance with the extraordinary utility costs loan deposit agreement between the institution and the state treasurer. The loan shall be at a rate as provided in section 5(c), and amendments thereto. A certification of compliance with this section in the form and manner as prescribed by the state treasurer shall be required of the eligible lending institution.

New Sec. 7. The state of Kansas and the state treasurer shall not be liable to any eligible lending institution in any manner for payment of the principal or interest on any extraordinary utility costs loan deposit loan to an eligible borrower. Any delay in payments or default by an eligible borrower does not in any manner affect the extraordinary utility costs loan deposit agreement between the eligible lending institution and the state treasurer.

New Sec. 8. (a) Sections 8 through 14, and amendments thereto, shall be known and may be cited as the Kansas economic recovery loan deposit program.

(b) The Kansas economic recovery loan deposit program shall be a part of and supplemental to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 9. As used in the Kansas economic recovery loan deposit program:

(a) "Director of investments" means the person appointed as the director of investments pursuant to K.S.A. 75-4222, and amendments thereto;

(b) "economic recovery loan deposit" means an investment account placed by the director of investments under the provisions of article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto, with an eligible lending institution for the purpose of carrying out the intent of the Kansas economic recovery loan deposit program;

(c) "economic recovery loan deposit loan" or "loan" means a loan made by an eligible lending institution to an eligible borrower from the eligible lending institution's economic recovery loan deposit as part of the economic recovery loan deposit program;

(d) "economic recovery loan deposit loan package" means the forms provided by the state treasurer for the purpose of applying for an economic recovery loan deposit;

(e) "economic recovery loan deposit program" or "program" means a state-administered program in which eligible lenders are charged less than the market rate of interest and eligible borrowers receive a reduction in interest charged on a loan in the amount of the deposit;

(f) "eligible borrower" means any individual or entity operating a business primarily for commercial or agricultural purposes with not more than 200 full-time employees maintaining offices or operating facilities and transacting business in the state of Kansas and is not an individual obtaining a loan primarily for personal, family

or household purposes; and

(g) "eligible lending institution" means a financial institution that is:

(1) A bank, as defined under K.S.A. 75-4201, and amendments thereto, that agrees to participate in the program and is eligible to be a depository of state funds;

(2) a credit union, as defined under K.S.A. 17-2231, and amendments thereto, that agrees to participate in the program and that provides securities acceptable to the pooled money investment board pursuant to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto; or

(3) an institution of the farm credit system organized under the federal farm credit act of 1971, 12 U.S.C. § 2001, as in effect on the effective date of this act, having at least one branch in the state of Kansas, that agrees to participate in the program and that provides securities acceptable to the pooled money investment board pursuant to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

New Sec. 10. (a) (1) The state treasurer is hereby authorized to administer the Kansas economic recovery loan deposit program.

(2) The program shall be for the purpose of providing incentives for the making of business loans.

(3) The total aggregate amount of economic recovery loan deposit loans under the program shall not exceed \$60,000,000 of unencumbered funds pursuant to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(b) The state treasurer shall adopt all rules and regulations necessary to implement and administer the provisions of the Kansas economic recovery loan deposit program. Such rules and regulations shall be adopted not later than February 1, 2022.

(c) The state treasurer shall submit an annual report to the governor and the legislature identifying the eligible lending institutions that are participating in the program and the eligible borrowers who have received an economic recovery loan deposit loan. The annual report shall provide the aggregate amount of moneys loaned and the amount of moneys still available for loan, if any. Such report shall be due on or before January 1, 2023, and each January 1 thereafter.

(d) The legislature shall perform a review of the program as a part of the state treasurer's annual report on or after January 1, 2024.

New Sec. 11. (a) The state treasurer is hereby authorized to disseminate information and to provide economic recovery loan deposit loan packages to the lending institutions eligible for participation in the Kansas economic recovery loan deposit program.

(b) The economic recovery loan deposit loan package shall be completed by the eligible borrower before being forwarded to the lending institution for consideration.

(c) (1) An eligible lending institution that agrees to receive an economic recovery loan deposit shall accept and review applications for loans from eligible borrowers.

(2) The lending institution shall apply all usual lending standards to determine the creditworthiness of eligible borrowers.

- (3) No single economic recovery loan deposit loan shall exceed \$250,000.
- (4) Only one economic recovery loan deposit loan shall be made and be outstanding at any one time to any eligible borrower.
- (5) No loan shall be amortized for a period longer than 10 years.
- (d) An eligible borrower shall certify on the loan application that the reduced rate loan will be used exclusively for the expenses involved in operating the borrower's business in Kansas.
- (e) The eligible lending institution may approve or reject an economic recovery loan deposit loan package based on the lending institution's evaluation of the eligible borrowers included in the package, the amount of the individual loan in the package and other appropriate considerations.
- (f) The eligible lending institution shall forward to the state treasurer an approved economic recovery loan deposit loan package in the form and manner prescribed and approved by the state treasurer. The package shall include information regarding the amount of the loan requested by each eligible borrower and such other information regarding each eligible borrower that the state treasurer may require. Such package shall include a certification by the applicant that such applicant is an eligible borrower.

New Sec. 12. (a) The state treasurer may accept or reject an economic recovery loan deposit loan package based on the state treasurer's evaluation of whether the loan to the eligible borrower meets the requirements of the Kansas economic recovery loan deposit program. If sufficient funds are not available for an economic recovery loan deposit, then the applications may be considered in the order received when funds are once again available, subject to a review by the lending institution. The fact that an eligible borrower received a loan under the Kansas extraordinary utility costs loan deposit program shall not preclude such eligible borrower from receiving a loan under this program.

(b) Upon acceptance, the state treasurer shall certify to the director of investments the amount required for such economic recovery loan deposit loan package, and the director of investments shall place an economic recovery loan deposit in the amount certified by the state treasurer with the eligible lending institution at an interest rate that is 2% below the market rate as provided in K.S.A. 75-4237, and amendments thereto, and that shall be recalculated on the first business day of January of each year using the market rate then in effect. The minimum interest rate shall be 0.25% if the market rate is below 2.25%. When necessary, the state treasurer may request the director of investments to place such economic recovery loan deposit with the eligible lending institution prior to acceptance of an economic recovery loan deposit loan package.

(c) The eligible lending institution shall enter into an economic recovery loan deposit agreement with the state treasurer. Such agreement shall include requirements necessary to implement the purposes of the Kansas economic recovery loan deposit program. Such requirements shall include an agreement by the eligible lending institution to lend an amount equal to the economic recovery loan deposit to eligible borrowers at an interest rate that is not more than 3% greater than the interest rate on economic recovery loan deposits as provided in subsection (b). Such rate shall be recalculated on the first business day of January of each year using the market rate then

in effect. The agreement shall include provisions for the economic recovery loan deposit to be placed for a period of time not to exceed 10 years that is considered appropriate in coordination with the underlying economic recovery loan. The agreement shall include provisions for the reduction of the economic recovery loan deposit in an amount equal to any payment of loan principal by the eligible borrower.

New Sec. 13. Upon the placement of an economic recovery loan deposit with an eligible lending institution, the institution shall fund the loan to each approved eligible borrower listed in the economic recovery deposit loan package in accordance with the economic recovery loan deposit agreement between the institution and the state treasurer. The loan shall be at a rate as provided in section 12(c), and amendments thereto. A certification of compliance with this section in the form and manner as prescribed by the state treasurer shall be required of the eligible lending institution.

New Sec. 14. The state of Kansas and the state treasurer shall not be liable to any eligible lending institution in any manner for payment of the principal or interest on any economic recovery loan deposit loan to an eligible borrower. Any delay in payments or default on the part of an eligible borrower does not in any manner affect the economic recovery loan deposit agreement between the eligible lending institution and the state treasurer.

Sec. 15. Section 1 of 2021 Senate Bill No. 88 is hereby amended to read as follows: Section 1. (a) Sections ~~15~~ through ~~620~~, and amendments thereto, shall be known and may be cited as the city utility low-interest loan program.

(b) The city utility low-interest loan program shall be a part of and supplemental to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

Sec. 16. Section 2 of 2021 Senate Bill No. 88 is hereby amended to read as follows: Section 2. As used in the city utility low-interest loan program:

(a) "City" means a city organized and existing under the laws of Kansas or a municipal energy agency as defined in K.S.A. 12-886, and amendments thereto;

(b) "director of investments" means the person appointed as the director of investments pursuant to K.S.A. 75-4222, and amendments thereto;

(c) "loan" means a deposit of unencumbered state funds to a city pursuant to the program; and

(d) "program" means the city utility low-interest loan program.

Sec. 17. Section 3 of 2021 Senate Bill No. 88 is hereby amended to read as follows: Section 3. (a) (1) The state treasurer is hereby authorized to administer the city utility low-interest loan program. The state treasurer and any city are hereby authorized to enter into binding commitments for the provision and receipt of loans in accordance with the provisions of this program.

(2) The program shall be for the purpose of providing loans to cities for extraordinary electric or natural gas costs incurred during the extreme winter weather event of February 2021.

(3) (A) The total aggregate amount of loans under the program shall not exceed \$100,000,000 of unencumbered funds pursuant to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(B) On the effective date of this act, the state treasurer shall certify to the director of investments the amount of \$20,000,000 of unencumbered funds under the program. Upon receipt of such certification, the director of investments shall reinvest such

certified amount in accordance with the Kansas extraordinary utility costs loan deposit program, sections 1 through 7, and amendments thereto.

(C) On June 1, 2021, the state treasurer shall certify to the director of investments the amount of any remaining unencumbered funds under the program. Upon receipt of such certification, the director of investments shall reinvest such certified amount in accordance with the Kansas extraordinary utility costs loan program, sections 1 through 7, and amendments thereto.

(4) Any loans received by a city under the provisions of the program shall be construed as bonds for the purposes of K.S.A. 10-1116, and amendments thereto.

(b) The state treasurer shall adopt all rules and regulations necessary to administer the provisions of the program including the development of a streamlined application process. Such rules and regulations shall be adopted not later than January 1, 2022, except that such streamlined application process shall be established within 14 days from ~~the effective date of this act~~ March 4, 2021. The adoption of such rules and regulations shall not be a prerequisite for the approval of loans by the state treasurer under the program. The state treasurer shall approve loans under the program in the most expeditious manner possible on or after ~~the effective date of this act~~ March 4, 2021.

(c) The state treasurer shall submit an annual report to the governor and the legislature identifying the cities that are participating in the program. Such annual report shall provide the aggregate amount of moneys loaned ~~and the amount of moneys still available for loan, if any~~. Such report shall be due on or before January 1, 2022, and each January 1 thereafter.

(d) The legislature shall perform a review of the program as part of the state treasurer's annual report on or after January 1, 2024.

Sec. 18. Section 4 of 2021 Senate Bill No. 88 is hereby amended to read as follows: Section 4. (a) The state treasurer is hereby authorized to disseminate information and to provide loan applications as soon as practicable on or after ~~the effective date of this act~~ March 4, 2021, to cities for participation in the program.

(b) A city shall forward to the state treasurer an application in the form and manner prescribed and approved by the state treasurer. The application shall include information regarding the amount of the loan requested by the city and such other information that the state treasurer may require, including, but not limited to, the specific fund or account of the city in which loan proceeds shall be deposited. Such application shall contain a certification by the governing body of the city that, if the city receives any federal moneys related to the extreme winter weather event of February 2021, the first priority for expenditure of such moneys shall be for the payment of any outstanding balance of a loan made to the city under the program.

(c) The loan shall be only for those extraordinary electric or natural gas costs incurred during the extreme winter weather event of February 2021, as certified by the governing body of the city, and not for any other utility costs previously budgeted for by the city.

(d) No loan shall be amortized for a period of more than 10 years. Payments on such loan ~~shall not be required to be made more frequently than annually but~~ may be made ~~more frequently~~ monthly, quarterly or semi-annually upon execution of an agreement between the city and the state treasurer.

(e) The state treasurer may create a lien against the city's utility revenue and

surcharges to satisfy any outstanding loan balance. Any city that receives a loan under the program shall apply the proceeds of any lawsuit or restitution relating to the extraordinary electric or natural gas costs incurred during the extreme winter weather event of February 2021 to the payment of any outstanding loan balance.

(f) Not more than \$20,000,000 of loans shall be approved by the state treasurer under the program on and after the effective date of this act, and no loans shall be approved by the state treasurer under the program on and after June 1, 2021.

Sec. 19. Section 5 of 2021 Senate Bill No. 88 is hereby amended to read as follows: Section 5. (a) The state treasurer may accept or reject an application based on the state treasurer's evaluation of whether the city meets the requirements of the program. If sufficient funds are not available for a loan, the applications may be considered in the order received when funds are once again available.

(b) Upon acceptance of an application, the state treasurer shall certify to the director of investments the amount required for such loan and the director of investments shall place a deposit of such certified amount with the specific fund or account of the city indicated in the loan application and approved by the state treasurer. The interest rate on a loan shall be 2% below the market rate as provided in K.S.A. 75-4237, and amendments thereto, and shall be recalculated on the first business day of January of each year using the market rate then in effect. The minimum interest rate shall be 0.25% if the market rate is below 2.25%. When necessary, the state treasurer may request the director of investments to place such deposit with the city prior to approval of an application.

(c)(1) The treasurer of each city shall remit to the state fiscal agent at least 20 days before the due date of a loan payment, payable at the office of the state treasurer as fiscal agent, sufficient moneys for such loan payment. The treasurer of any city, in lieu of remitting such moneys to the state fiscal agent at such time, may provide the state fiscal agent with electronic fund transfer instructions on forms prescribed by the state treasurer that shall certify that there will be funds on deposit on the transaction date sufficient for the loan payment and that such funds will either reach the office of the state fiscal agent on or before 12 noon of the third working day before the due date of such loan payment or reach the office of the state fiscal agent on or before 12 noon of the first working day before the due date of such loan payment, if such funds are transferred to the state fiscal agent electronically. Upon receipt of such certification, the state fiscal agent shall file the same in the office of the state fiscal agent.

(2) When a city needs moneys that are in the county treasury to make a loan payment, the treasurer of such city shall make a written request of the county treasurer for the amount needed not later than 25 days prior to the due date of such loan payment. Not later than two days following the receipt of such request, the county treasurer shall forward to the treasurer of the city the amount requested, if the county treasurer has collected such moneys for such purpose. If the full amount of such a request is not in the county treasury, the county treasurer shall forward the portion that is in the county treasurer's possession for such purpose.

(3) When a county treasurer is charged with the collection of tax moneys for a city, the territory of which is in more than one county, such treasurer shall forward any such funds when collected to the proper county treasurer as soon as practical but not later than two days following receipt of a request from the county treasurer to whom they are to be forwarded.

(4) Failure to pay loan payment moneys when due is:

(A) Failure of a county treasurer to forward moneys in the county treasury when requested as provided in this section;

(B) failure of the treasurer of a city or any county treasurer to make timely request for moneys as provided in this subsection; or

(C) failure of the treasurer of a city to make timely remittance of moneys for payment of loans under this program when such moneys are available for such remittance.

(5) Failure to pay loan payment moneys when due is a class C misdemeanor.

(d) All moneys received by the state treasurer from cities for payment of loans made under the program shall be deposited in the state treasury to the credit of the pooled money investment portfolio.

Sec. 20. Section 6 of 2021 Senate Bill No. 88 is hereby amended to read as follows: Section 6. (a) To the extent that any provisions of sections ~~4~~ 15 through ~~6~~ 20, and amendments thereto, conflict with the provisions of article 42 of chapter 75 of the Kansas Statutes Annotated, or any other provision of law, the provisions of sections ~~4~~ 15 through ~~6~~ 20, and amendments thereto, shall control.

(b) Any loan made to a city under the program shall not be considered bonded indebtedness for the purposes of K.S.A. 10-308, and amendments thereto, or any other statute imposing a limitation on indebtedness of a city.

Sec. 21. K.S.A. 10-130 is hereby amended to read as follows: 10-130. (a) The treasurer of each municipality shall remit to the state fiscal agent at least 20 days before the day of maturity of any bonds or the interest thereon, payable at the office of the state treasurer as fiscal agent, sufficient moneys for the redemption of such bonds and the payment of the interest thereon. The treasurer of any municipality, in lieu of remitting such moneys to the state fiscal agent at such time, may provide the state fiscal agent with ~~a certificate of a state or national bank or state or federally chartered savings and loan association that there are on deposit in such bank or savings and loan association, held in trust for such state fiscal agent, funds in the form of cash or securities of the United States government, electronic fund transfer instructions on forms prescribed by the state treasurer that shall certify that there will be funds on deposit on the transaction~~ date sufficient for the redemption of such bonds or the payment of the interest thereon, and that such funds will either reach the office of the state fiscal agent on or before 12 ~~o'clock~~ noon of the third working day before the day of maturity of such bonds or the interest thereon or reach the office of the state fiscal agent on or before 12 ~~o'clock~~ noon of the first working day before the day of maturity of such bonds or the interest thereon, if such funds are transferred to the state fiscal agent electronically. Upon receipt of such ~~certificate certification~~, the state fiscal agent shall file the same in the office of the state fiscal agent.

(b) When a municipality needs moneys that are in the county treasury to redeem any bonds or to pay the interest thereon, the treasurer of such municipality shall make a written request of the county treasurer for the amount needed not later than 25 days prior to the maturity date of the bonds or the interest thereon. Not later than two days following the receipt of such request the county treasurer shall forward to the treasurer of the municipality the amount requested, if the county treasurer has collected the same for such purpose. If the full amount of such a request is not in the county treasury, the county treasurer shall forward that portion that is in the county treasurer's possession for

such purpose.

(c) When a county treasurer is charged with the collection of tax moneys for a municipality, the territory of which is in more than one county, such treasurer shall forward any such funds when collected to the proper county treasurer as soon as practical, or not later than two days following receipt of a request from the county treasurer to whom they are to be forwarded.

(d) Failure to pay bond moneys when due is any of the following:

(1) Failure of a county treasurer to forward moneys in the county treasury when requested as provided in this section; ~~or~~

(2) failure of the treasurer of a municipality or any county treasurer to make timely request for moneys as provided in this section; or

(3) failure of the treasurer of a municipality to make timely remittance of moneys for redemption of bonds or to pay the interest thereon, when such moneys are available for such remittance.

(e) Failure to pay bond or interest moneys when due is a class C misdemeanor.

Sec. 22. K.S.A. 75-4218 is hereby amended to read as follows: 75-4218. (a) All state bank accounts shall be secured as provided in this section.

The bank, savings bank or savings and loan association receiving or having a state bank account shall deposit, maintain, pledge, assign, and grant a security interest in, or cause its agent, trustee, wholly-owned subsidiary, or affiliate having identical ownership to deposit, maintain, pledge, assign, and grant a security interest in, for the benefit of the state of Kansas, in the manner provided in this act, securities owned by the depository bank directly or indirectly through its agent or trustee holding securities on its behalf, or owned by the depository bank's wholly-owned subsidiary or by such affiliate, the market value of which is equal to 100% of the amount of the account plus accrued interest, less that portion of the amount of the account plus accrued interest which is insured by the federal deposit insurance corporation or its successor.

(b) All securities securing state bank accounts shall be deposited in a securities account with a bank having the prior approval of the board, a credit union having the prior approval of the board, the federal home loan bank of Topeka or with the state treasurer pursuant to a written custodial agreement, and a receipt taken therefor with one copy going to the treasurer and one copy going to the bank, savings bank or savings and loan association which has secured such state bank account. The receipt shall identify the securities which are subject to a security interest to secure payment of the state bank account. This section shall not prohibit any custodial bank receiving securities on deposit from issuing a receipt and depositing securities identified in the receipt in such bank's account with any bank chartered in Kansas or any other state, any trust company chartered in Kansas or any other state, any national bank, or any centralized securities depository wherever located within the United States. No securities securing state bank accounts shall be deposited in any bank, trust company or national bank which is owned directly or indirectly by any parent corporation of the depository bank, or with any bank, trust company, or national bank having common controlling shareholders, having a common majority of the board of directors or having common directors with the ability to control or influence directly or indirectly the acts or policies of the bank, savings and loan association or savings bank securing such state bank account. Any custodial bank which releases securities securing a state bank account without being authorized to do so under the custodial agreement shall be liable

to the state for any loss to the state resulting therefrom.

(c) Securities securing state bank accounts may be deposited with the federal reserve bank of Kansas City to be there held in such manner, under regulations and operating letters of the federal reserve bank, as to secure payment of the state bank account in the depository bank.

(d) The depository bank, and any agent, trustee, wholly-owned subsidiary or affiliate having identical ownership granting a security interest shall enter into a written agreement with the state of Kansas granting the state of Kansas a security interest in the securities to secure payment of the state bank account. Such security interest shall be perfected by the depository bank and any agent, trustee, wholly-owned subsidiary or affiliate having identical ownership granting a security interest causing control of the securities under the Kansas uniform commercial code to be given to the state of Kansas. The security agreement and the custodial agreement shall be in writing, executed by all parties thereto, maintained as part of their official records, and, except for the state of Kansas, approved by their boards of directors or their loan committees, which approvals shall be reflected in the minutes of the boards or committees.

Sec. 23. K.S.A. 75-4237, as amended by section 7 of 2021 Senate Bill No. 88, is hereby amended to read as follows: 75-4237. (a) The director of investments shall accept requests from banks interested in obtaining investment accounts of state moneys. Such requests may be submitted any business day and shall specify the dollar amount and maturity. The director of investments is authorized to award the investment account to the requesting bank at the market rate established by subsection (b). Awards of investment accounts pursuant to this section shall be subject to investment policies of the pooled money investment board. When multiple requests are received and are in excess of the amount available for investment that day for any maturity, awards shall be made available in ascending order from smallest to largest dollar amount requested, subject to investment policies of the board.

(b) The market rate shall be determined each business day by the director of investments, in accordance with any procedures established by the pooled money investment board. Subject to any policies of the board, the market rate shall reflect the highest rate at which state moneys can be invested on the open market in investments authorized by K.S.A. 75-4209(a), and amendments thereto, for equivalent maturities.

(c) (1) Notwithstanding the provisions of this section, linked deposits made pursuant to the provisions of K.S.A. 2-3703 through 2-3707, and amendments thereto, shall be at an interest rate that is 2% less than the market rate determined under this section and that shall be recalculated on the first business day of each calendar year using the market rate then in effect.

(2) Notwithstanding the provisions of this section, agricultural production loan deposits made pursuant to the provisions of K.S.A. 75-4268 through 75-4274, and amendments thereto, shall be at an interest rate that is 2% less than the market rate provided by this section and that shall be recalculated on the first business day of each calendar year using the market rate then in effect.

(3) Notwithstanding the provisions of this section, loan deposits made pursuant to the city utility low-interest loan program shall be at an interest rate that is 2% less than the market rate provided by this section and that shall be recalculated on the first business day of each calendar year using the market rate then in effect.

(4) Notwithstanding the provisions of this section, economic recovery loan deposits

made pursuant to the Kansas economic recovery loan deposit program shall be at an interest rate that is 2% less than the market rate provided by this section and that shall be recalculated on the first business day of each calendar year using the market rate then in effect.

(5) Notwithstanding the provisions of this section, extraordinary utility costs loan deposits made pursuant to the Kansas extraordinary utility costs loan deposit program shall be at an interest rate that is 2% less than the market rate provided by this section and that shall be recalculated on the first business day of each calendar year using the market rate then in effect.

(d) (1) The director of investments may place deposits through a selected bank, savings and loan association or savings bank that is part of a reciprocal deposit program in which the bank, savings and loan association or savings bank:

(A) Receives reciprocal deposits from other participating institutions located in the United States in an amount equal to the amount of funds deposited by the municipal corporation or quasi-municipal corporation; and

(B) for which the total cumulative amount of each deposit does not exceed the maximum deposit insurance amount for one depositor at one financial institution as determined by the federal deposit insurance corporation.

(2) Such deposits shall not be treated as securities and need not be secured as provided in this or any other act, except that such deposits shall be secured as provided in K.S.A. 75-4218, and amendments thereto, when they are held by the selected financial institution prior to placement with reciprocal institutions or upon maturity.

(e) The pooled money investment board shall establish procedures for administering reciprocal deposit programs in its investment policies, as authorized by K.S.A. 75-4232, and amendments thereto.

Sec. 24. K.S.A. 10-130, 75-4218 and 75-4237, as amended by section 7 of 2021 Senate Bill No. 88, and section 1 of 2021 Senate Bill No. 88, section 2 of 2021 Senate Bill No. 88, section 3 of 2021 Senate Bill No. 88, section 4 of 2021 Senate Bill No. 88, section 5 of 2021 Senate Bill No. 88 and section 6 of 2021 Senate Bill No. 88 are hereby repealed.

Sec. 25. On July 1, 2021, K.S.A. 75-4237, as amended by section 9 of 2021 Senate Bill No. 15, and section 1 of 2021 Senate Bill No. 15, section 2 of 2021 Senate Bill No. 15, section 3 of 2021 Senate Bill No. 15, section 4 of 2021 Senate Bill No. 15, section 5 of 2021 Senate Bill No. 15, section 6 of 2021 Senate Bill No. 15 and section 7 of 2021 Senate Bill No. 15 are hereby repealed.";

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 and 3; in line 4, by striking all before the period and inserting "the state treasurer; relating to certain programs under the administration thereof; city utility low-interest loan program; providing for electronic repayment of loans; cash basis exception; payment frequency; loan security; ending date for making loans; establishing the Kansas extraordinary utility costs loan deposit program; Kansas economic recovery loan deposit program; amending K.S.A. 10-130, 75-4218 and 75-4237, as amended by section 7 of 2021 Senate Bill No. 88, and section 1 of 2021 Senate Bill No. 88, section 2 of 2021 Senate Bill No. 88, section 3 of 2021 Senate Bill No. 88, section 4 of 2021 Senate Bill No. 88, section 5 of 2021 Senate Bill No. 88 and section 6 of 2021 Senate

Bill No. 88 and repealing the existing sections; also repealing K.S.A. 75-4237, as amended by section 9 of 2021 Senate Bill No. 15, and section 1 of 2021 Senate Bill No. 15, section 2 of 2021 Senate Bill No. 15, section 3 of 2021 Senate Bill No. 15, section 4 of 2021 Senate Bill No. 15, section 5 of 2021 Senate Bill No. 15, section 6 of 2021 Senate Bill No. 15 and section 7 of 2021 Senate Bill No. 15";

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

JIM KELLY  
NICK HOHEISEL  
RUI XU

*Conferees on part of House*

JEFF LONGBINE  
MICHAEL FAGG  
JEFF PITTMAN

*Conferees on part of Senate*

On motion of Rep. Finch, the conference committee report on **SB 86** was adopted.

On roll call, the vote was: Yeas 117; Nays 6; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, Fairchild, Jacobs, Lee-Hahn, Penn, Poetter.

Present but not voting: None.

Absent or not voting: Howard, Victors.

On motion of Rep. Hawkins, the House recessed until 2:00 p.m.

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#### AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Finch in the chair.

#### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 55**.

The Senate adopts the Conference Committee report on **HB 2007**.

The Senate adopts the Conference Committee report on **HB 2039**.

The Senate adopts the Conference Committee report on **HB 2218**.

The Senate not adopts the conference committee report on **SB 175**.

**MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Barker, the House nonconcurrred in Senate amendments to **S Sub HB 2138** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. Barker, Arnberger and L. Ruiz as conferees on the part of the House.

On motion of Rep. Rajhes, the House concurred in Senate amendments to **HB 2102**, AN ACT concerning agriculture; relating to eggs; clarifying repackaging requirements for retailers; amending K.S.A. 2020 Supp. 2-2507 and 2-2510 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 122; Nays 1; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rajhes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Carmichael.

Present but not voting: None.

Absent or not voting: Howard, Victors.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 170** 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 9 through 36;

By striking all on pages 2 through 5;

On page 6, by striking all in lines 1 through 4; following line 4 by inserting:

"New Section 1. The board may assess a fee at the time of licensure or license renewal for any person seeking compact privilege to practice under the psychology interjurisdictional compact whose home state is Kansas, in addition to any other fees authorized by law for licensure, not to exceed \$25. The board shall adopt rules and regulations to establish the amount of such fee.

New Sec. 2. This section shall be known and may be cited as the psychology interjurisdictional compact (PSYPACT). This section shall take effect on and after January 1, 2022.

ARTICLE I  
PURPOSE

WHEREAS, States license psychologists in order to protect the public through verification of education, training and experience and ensure accountability for professional practice; and

WHEREAS, This compact is intended to regulate the day-to-day practice of telepsychology, the provision of psychological services using telecommunications technologies, by psychologists across state boundaries in the performance of their psychological practice as assigned by an appropriate authority; and

WHEREAS, This compact is intended to regulate the temporary in-person, face-to-face practice of psychology by psychologists across state boundaries for 30 days within a calendar year in the performance of their psychological practice as assigned by an appropriate authority; and

WHEREAS, This compact is intended to authorize state psychology regulatory authorities to afford legal recognition, in a manner consistent with the terms of the compact, to psychologists licensed in another state; and

WHEREAS, This compact recognizes that states have a vested interest in protecting the public's health and safety through their licensing and regulation of psychologists and that such state regulation will best protect public health and safety; and

WHEREAS, This compact does not apply when a psychologist is licensed in both the home and receiving states; and

WHEREAS, This compact does not apply to permanent in-person, face-to-face practice, but it does allow for authorization of temporary psychological practice.

Consistent with these principles, this compact is designed to achieve the following purposes and objectives:

(a) Increase public access to professional psychological services by allowing for telepsychological practice across state lines as well as temporary in-person, face-to-face services into a state which the psychologist is not licensed to practice psychology;

(b) enhance the states' ability to protect the public's health and safety, especially client/patient safety;

(c) encourage the cooperation of compact states in the areas of psychology licensure and regulation;

(d) facilitate the exchange of information between compact states regarding psychologist licensure, adverse actions and disciplinary history;

(e) promote compliance with the laws governing psychological practice in each compact state; and

(f) invest all compact states with the authority to hold licensed psychologists accountable through the mutual recognition of compact state licenses.

ARTICLE II  
DEFINITIONS

(a) "Adverse action" means any action taken by a state psychology regulatory authority that finds a violation of a statute or regulation that is identified by the state psychology regulatory authority as discipline and is a matter of public record.

(b) "Association of state and provincial psychology boards" means the recognized membership organization composed of state and provincial psychology regulatory authorities responsible for the licensure and registration of psychologists throughout the United States and Canada.

(c) "Authority to practice interjurisdictional telepsychology" means a licensed psychologist's authority to practice telepsychology, within the limits authorized under this compact, in another compact state.

(d) "Bylaws" means those bylaws established by the psychology interjurisdictional compact commission pursuant to article X for its governance or for directing and controlling its actions and conduct.

(e) "Client/patient" means the recipient of psychological services, whether psychological services are delivered in the context of healthcare, corporate, supervision or consulting services.

(f) "Commissioner" means the voting representative appointed by each state psychology regulatory authority pursuant to article X.

(g) "Compact state" means a state, the District of Columbia or a United States territory that has enacted this compact legislation and that has not withdrawn pursuant to article XIII(c) or been terminated pursuant to article XII(b).

(h) "Coordinated licensure information system" or "coordinated database" means an integrated process for collecting, storing and sharing information on psychologists' licensure and enforcement activities related to psychology licensure laws, administered by the recognized membership organization composed of state and provincial psychology regulatory authorities.

(i) "Confidentiality" means the principle that data or information is not made available or disclosed to unauthorized persons or processes.

(j) "Day" means any part of a day in which psychological work is performed.

(k) "Distant state" means the compact state where a psychologist is physically present, not through the use of telecommunications technologies, to provide temporary in-person, face-to-face psychological services.

(l) "E.passport" means a certificate issued by the association of state and provincial psychology boards that promotes the standardization in the criteria of interjurisdictional telepsychology practice and facilitates the process for licensed psychologists to provide telepsychological services across state lines.

(m) "Executive board" means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission.

(n) "Home state" means a compact state where a psychologist is licensed to practice psychology. If the psychologist is licensed in more than one compact state and is practicing under the authorization to practice interjurisdictional telepsychology, the "home state" is the compact state where the psychologist is physically present when the

telepsychological services are delivered. If the psychologist is licensed in more than one compact state and is practicing under the temporary authorization to practice, the "home state" is any compact state where the psychologist is licensed.

(o) "Identity history summary" means a summary of information retained by the federal bureau of investigation, or other designee with similar authority, in connection with arrests and, in some instances, federal employment, naturalization or military service.

(p) "In-person, face-to-face" means interactions in which the psychologist and the client/patient are in the same physical space and does not include interactions that may occur through the use of telecommunications technologies.

(q) "Interjurisdictional practice certificate" means a certificate issued by the association of state and provincial psychology boards that grants temporary authority to practice based on notification to the state psychology regulatory authority of intention to practice temporarily, and verification of one's qualifications for such practice.

(r) "License" means authorization by a state psychology regulatory authority to engage in the independent practice of psychology that would be unlawful without the authorization.

(s) "Non-compact state" means any state that is not, at the time, a compact state.

(t) "Psychologist" means an individual licensed for the independent practice of psychology.

(u) "Psychology interjurisdictional compact commission" or "commission" means the national administration of which all compact states are members.

(v) "Receiving state" means a compact state where the client/patient is physically located when the telepsychological services are delivered.

(w) "Rule" means a written statement by the psychology interjurisdictional compact commission promulgated pursuant to article XI that:

- (1) Is of general applicability;
- (2) implements, interprets or prescribes a policy or provision of the compact, or an organizational, procedural or practice requirement of the commission;
- (3) has the force and effect of statutory law in a compact state; and
- (4) includes the amendment, repeal or suspension of an existing rule.

(x) "Significant investigatory information" means:

(1) Investigative information that a state psychology regulatory authority, after a preliminary inquiry that includes notification and an opportunity to respond if required by state law, has reason to believe, if proven true, would indicate more than a violation of state statute or ethics code that would be considered more substantial than minor infraction; or

(2) investigative information that indicates that the psychologist represents an immediate threat to public health and safety, regardless of whether the psychologist has been notified or had an opportunity to respond.

(y) "State" means a state, commonwealth, territory or possession of the United States or the District of Columbia.

(z) "State psychology regulatory authority" means the board, office or other agency with the legislative mandate to license and regulate the practice of psychology.

(aa) "Telepsychology" means the provision of psychological services using telecommunications technologies.

(bb) "Temporary authorization to practice" means a licensed psychologist's authority to conduct temporary in-person, face-to-face practice, within the limits authorized under this compact, in another compact state.

(cc) "Temporary in-person, face-to-face practice" means a psychologist is physically present, not through the use of telecommunications technologies, in the distant state to provide for the practice of psychology for 30 days within a calendar year and based on notification to the distant state.

### ARTICLE III HOME STATE LICENSURE

(a) The home state shall be a compact state where a psychologist is licensed to practice psychology.

(b) A psychologist may hold one or more compact state licenses at a time. If the psychologist is licensed in more than one compact state, the home state is the compact state where the psychologist is physically present when the services are delivered as authorized by the authority to practice interjurisdictional telepsychology under the terms of this compact.

(c) Any compact state may require a psychologist not previously licensed in a compact state to obtain and retain a license to be authorized to practice in the compact state under circumstances not authorized by the authority to practice interjurisdictional telepsychology under the terms of this compact.

(d) Any compact state may require a psychologist to obtain and retain a license to be authorized to practice in a compact state under circumstances not authorized by temporary authorization to practice under the terms of this compact.

(e) A home state's license authorizes a psychologist to practice in a receiving state under the authority to practice interjurisdictional telepsychology only if the compact state:

- (1) Currently requires the psychologist to hold an active e.passport;
- (2) has a mechanism in place for receiving and investigating complaints about licensed individuals;
- (3) notifies the commission, in compliance with the terms herein, of any adverse action or significant investigatory information regarding a licensed individual;
- (4) requires an identity history summary of all applicants at initial licensure, including the use of the results of fingerprints or other biometric data checks compliant with the requirements of the federal bureau of investigation, or other designee with

similar authority, not later than 10 years after activation of the compact; and

(5) complies with the bylaws and rules of the commission.

(f) A home state's license grants temporary authorization to practice to a psychologist in a distant state only if the compact state:

(1) Currently requires the psychologist to hold an active interjurisdictional practice certificate;

(2) has a mechanism in place for receiving and investigating complaints about licensed individuals;

(3) notifies the commission, in compliance with the terms herein, of any adverse action or significant investigatory information regarding a licensed individual;

(4) requires an identity history summary of all applicants at initial licensure, including the use of the results of fingerprints or other biometric data checks compliant with the requirements of the federal bureau of investigation, or other designee with similar authority, not later than 10 years after activation of the compact; and

(5) complies with the bylaws and rules of the commission.

#### ARTICLE IV COMPACT PRIVILEGE TO PRACTICE TELEPSYCHOLOGY

(a) Compact states shall recognize the right of a psychologist, licensed in a compact state in conformance with article III, to practice telepsychology in other compact states, or receiving states, in which the psychologist is not licensed, under the authority to practice interjurisdictional telepsychology as provided in the compact.

(b) To exercise the authority to practice interjurisdictional telepsychology under the terms and provisions of this compact, a psychologist licensed to practice in a compact state shall:

(1) Hold a graduate degree in psychology from an institute of higher education that was, at the time the degree was awarded:

(A) Regionally accredited by an accrediting body recognized by the United States department of education to grant graduate degrees or authorized by provincial statute or royal charter to grant doctoral degrees; or

(B) a foreign college or university deemed to be equivalent to subparagraph (A) by a foreign credential evaluation service that is a member of the national association of credential evaluation services or by a recognized foreign credential evaluation service;

(2) hold a graduate degree in psychology that meets the following criteria:

(A) The program, wherever it may be administratively housed, shall be clearly identified and labeled as a psychology program. Such program must specify in pertinent institutional catalogs and brochures its intent to educate and train professional psychologists;

(B) the psychology program shall stand as a recognizable, coherent, organizational entity within the institution;

(C) there shall be a clear authority and primary responsibility for the core and specialty areas, whether or not the program cuts across administrative lines;

(D) the program shall consist of an integrated, organized sequence of study;

(E) there shall be an identifiable psychology faculty sufficient in size and breadth to carry out its responsibilities;

(F) the designated director of the program shall be a psychologist and a member of the core faculty;

(G) the program shall have an identifiable body of students who are matriculated in that program for a degree;

(H) the program shall include supervised practicum, internship or field training appropriate to the practice of psychology;

(I) the curriculum shall encompass a minimum of three academic years of full-time graduate study for a doctoral degree and a minimum of one academic year of full-time graduate study for a master's degree; and

(J) the program includes an acceptable residency as defined by the rules of the commission;

(3) possess a current, full and unrestricted license to practice psychology in a home state that is a compact state;

(4) have no history of adverse action that violates the rules of the commission;

(5) have no criminal record history reported on an identity history summary that violates the rules of the commission;

(6) possess a current, active e.passport;

(7) provide attestations in regard to areas of intended practice, conformity with standards of practice, competence in telepsychology technology, criminal background and knowledge and adherence to legal requirements in the home and receiving states and provide a release of information to allow for primary source verification in a manner specified by the commission; and

(8) meet other criteria as defined by the rules of the commission.

(c) The home state maintains authority over the license of any psychologist practicing into a receiving state under the authority to practice interjurisdictional telepsychology.

(d) A psychologist practicing into a receiving state under the authority to practice interjurisdictional telepsychology shall be subject to the receiving state's scope of practice. A receiving state may, in accordance with that state's due process law, limit or revoke a psychologist's authority to practice interjurisdictional telepsychology in the receiving state and may take any other necessary actions under the receiving state's applicable law to protect the health and safety of the receiving state's citizens. If a receiving state takes action, the state shall promptly notify the home state and the commission.

(e) If a psychologist's license in any home state (e) or another compact state, or any

authority to practice interjurisdictional telepsychology in any receiving state, is restricted, suspended or otherwise limited, the e.passport shall be revoked and therefore the psychologist shall not be eligible to practice telepsychology in a compact state under the authority to practice interjurisdictional telepsychology.

ARTICLE V  
COMPACT TEMPORARY AUTHORIZATION TO PRACTICE

(a) Compact states shall also recognize the right of a psychologist, licensed in a compact state in conformance with Article III, to practice temporarily in other compact states, or distant states, in which the psychologist is not licensed, as provided in the compact.

(b) To exercise the temporary authorization to practice under the terms and provisions of this compact, a psychologist licensed to practice in a compact state shall:

(1) Hold a graduate degree in psychology from an institute of higher education that was, at the time the degree was awarded:

(A) Regionally accredited by an accrediting body recognized by the United States department of education to grant graduate degrees or authorized by provincial statute or royal charter to grant doctoral degrees; or

(B) a foreign college or university deemed to be equivalent to subparagraph (A) by a foreign credential evaluation service that is a member of the national association of credential evaluation services or by a recognized foreign credential evaluation service;

(2) hold a graduate degree in psychology that meets the following criteria:

(A) The program, wherever it may be administratively housed, shall be clearly identified and labeled as a psychology program. Such a program must specify in pertinent institutional catalogs and brochures its intent to educate and train professional psychologists;

(B) the psychology program shall stand as a recognizable, coherent, organizational entity within the institution;

(C) there shall be a clear authority and primary responsibility for the core and specialty areas, whether or not the program cuts across administrative lines;

(D) the program shall consist of an integrated, organized sequence of study;

(E) there shall be an identifiable psychology faculty sufficient in size and breadth to carry out its responsibilities;

(F) the designated director of the program shall be a psychologist and a member of the core faculty;

(G) the program shall have an identifiable body of students who are matriculated in that program for a degree;

(H) the program shall include supervised practicum, internship or field training appropriate to the practice of psychology;

(I) the curriculum shall encompass a minimum of three academic years of full-time

graduate study for doctoral degrees and a minimum of one academic year of full-time graduate study for master's degrees; and

(J) the program includes an acceptable residency as defined by the rules of the commission;

(3) possess a current, full and unrestricted license to practice psychology in a home state that is a compact state;

(4) no history of adverse action that violate the rules of the commission;

(5) no criminal record history that violates the rules of the commission;

(6) possess a current, active interjurisdictional practice certificate;

(7) provide attestations in regard to areas of intended practice and work experience and provide a release of information to allow for primary source verification in a manner specified by the commission; and

(8) meet other criteria as defined by the rules of the commission.

(c) A psychologist practicing into a distant state under the temporary authorization to practice shall practice within the scope of practice authorized by the distant state.

(d) A psychologist practicing into a distant state under the temporary authorization to practice shall be subject to the distant state's authority and law. A distant state may, in accordance with that state's due process law, limit or revoke a psychologist's temporary authorization to practice in the distant state and may take any other necessary actions under the distant state's applicable law to protect the health and safety of the distant state's citizens. If a distant state takes action, the state shall promptly notify the home state and the commission.

(e) If a psychologist's license in any home state or another compact state, or any temporary authorization to practice in any distant state, is restricted, suspended or otherwise limited, the interjurisdictional practice certificate shall be revoked and therefore the psychologist shall not be eligible to practice in a compact state under the temporary authorization to practice.

#### ARTICLE VI

##### CONDITIONS OF TELEPSYCHOLOGY PRACTICE IN A RECEIVING STATE

A psychologist may practice in a receiving state under the authority to practice interjurisdictional telepsychology only in the performance of the scope of practice for psychology as assigned by an appropriate state psychology regulatory authority, as defined in the rules of the commission, and under the following circumstances:

(a) The psychologist initiates a client/patient contact in a home state via telecommunications technologies with a client/patient in a receiving state; and

(b) other conditions regarding telepsychology as determined by rules promulgated by the commission.

#### ARTICLE VII

##### ADVERSE ACTIONS

(a) A home state shall have the power to impose adverse action against a psychologist's license issued by the home state. A distant state shall have the power to take adverse action on a psychologist's temporary authorization to practice within that distant state.

(b) A receiving state may take adverse action on a psychologist's authority to practice interjurisdictional telepsychology within that receiving state. A home state may take adverse action against a psychologist based on an adverse action taken by a distant state regarding temporary in-person, face-to-face practice.

(c) If a home state takes adverse action against a psychologist's license, that psychologist's authority to practice interjurisdictional telepsychology is terminated and the e.passport is revoked. Furthermore, that psychologist's temporary authorization to practice is terminated and the interjurisdictional practice certificate is revoked.

(1) All home state disciplinary orders that impose adverse action shall be reported to the commission in accordance with the rules promulgated by the commission. A compact state shall report adverse actions in accordance with the rules of the commission.

(2) In the event discipline is reported on a psychologist, the psychologist will not be eligible for telepsychology or temporary in-person, face-to-face practice in accordance with the rules of the commission.

(3) Other actions may be imposed as determined by the rules promulgated by the commission.

(d) A home state's psychology regulatory authority shall investigate and take appropriate action with respect to reported inappropriate conduct engaged in by a licensee that occurred in a receiving state as it would if such conduct had occurred by a licensee within the home state. In such cases, the home state's law shall control in determining any adverse action against a psychologist's license.

(e) A distant state's psychology regulatory authority shall investigate and take appropriate action with respect to reported inappropriate conduct engaged in by a psychologist practicing under temporary authorization practice that occurred in that distant state as it would if such conduct had occurred by a licensee within the home state. In such cases, the distant state's law shall control in determining any adverse action against a psychologist's temporary authorization to practice.

(f) Nothing in this compact shall override a compact state's decision that a psychologist's participation in an alternative program may be used in lieu of adverse action and that such participation shall remain non-public if required by the compact state's law. Compact states shall require psychologists who enter any alternative programs to not provide telepsychology services under the authority to practice interjurisdictional telepsychology or provide temporary psychological services under the temporary authorization to practice in any other compact state during the term of the alternative program.

(g) No other judicial or administrative remedies shall be available to a psychologist in the event a compact state imposes an adverse action pursuant to subsection (c).

#### ARTICLE VIII

ADDITIONAL AUTHORITIES INVESTED IN A COMPACT STATE'S  
PSYCHOLOGY REGULATORY AUTHORITY

In addition to any other powers granted under state law, a compact state's psychology regulatory authority shall have the authority under this compact to:

(a) Issue subpoenas, for both hearings and investigations, that require the attendance and testimony of witnesses and the production of evidence. Subpoenas issued by a compact state's psychology regulatory authority for the attendance and testimony of witnesses or the production of evidence from another compact state shall be enforced in the latter state by any court of competent jurisdiction, according to that court's practice and procedure in considering subpoenas issued in its own proceedings. The issuing state psychology regulatory authority shall pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the state where the witnesses or evidence are located; and

(b) issue cease and desist or injunctive relief orders to revoke a psychologist's authority to practice interjurisdictional telepsychology or temporary authorization to practice.

(c) During the course of any investigation, a psychologist may not change such psychologist's home state licensure. A home state psychology regulatory authority is authorized to complete any pending investigations of a psychologist and to take any actions appropriate under its law. The home state psychology regulatory authority shall promptly report the conclusions of such investigations to the commission. Once an investigation has been completed, and pending the outcome of such investigation, the psychologist may change the psychologist's home state licensure. The commission shall promptly notify the new home state of any such decisions as provided in the rules of the commission. All information provided to the commission or distributed by compact states pursuant to the psychologist shall be confidential, filed under seal and used for investigatory or disciplinary matters. The commission may create additional rules for mandated or discretionary sharing of information by compact states.

ARTICLE IX  
COORDINATED LICENSURE INFORMATION SYSTEM

(a) The Commission shall provide for the development and maintenance of a coordinated licensure information system and reporting system containing licensure and disciplinary action information on all individuals to whom this compact is applicable in all compact states as defined by the rules of the commission.

(b) Notwithstanding any other provision of state law to the contrary, a compact state shall submit a uniform data set to the coordinated database on all licensees as required by the rules of the commission, including:

- (1) Identifying information;
- (2) licensure data;
- (3) significant investigatory information;
- (4) adverse actions against a psychologist's license;

(5) an indicator that a psychologist's authority to practice interjurisdictional telepsychology or temporary authorization to practice is revoked;

(6) non-confidential information related to alternative program participation information;

(7) any denial of application for licensure and the reasons for such denial; and

(8) other information that may facilitate the administration of this compact, as determined by the rules of the commission.

(c) The coordinated database administrator shall promptly notify all compact states of any adverse action taken against, or significant investigative information on, any licensee in a compact state.

(d) Compact states reporting information to the coordinated database may designate information that may not be shared with the public without the express permission of the compact state reporting the information.

(e) Any information submitted to the coordinated database that is subsequently required to be expunged by the law of the compact state reporting the information shall be removed from the coordinated database.

ARTICLE X  
ESTABLISHMENT OF THE PSYCHOLOGY  
INTERJURISDICTIONAL COMPACT COMMISSION

(a) The compact states hereby create and establish a joint public agency known as the psychology interjurisdictional compact commission.

(1) The commission is a body politic and an instrumentality of the compact states.

(2) Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

(3) Nothing in this compact shall be construed to be a waiver of sovereign immunity.

(b) *Membership, voting and meetings.*

(1) The commission shall consist of one voting representative appointed by each compact state who shall serve as that state's commissioner. The state psychology regulatory authority shall appoint its delegate. This delegate shall be empowered to act on behalf of the compact state. This delegate shall be limited to:

(A) The executive director, executive secretary or similar executive;

(B) a current member of the state psychology regulatory authority of a compact state; or

(C) a designee empowered with the appropriate delegate authority to act on behalf of the compact state.

(2) Any commissioner may be removed or suspended from office as provided by the law of the state from which the commissioner is appointed. Any vacancy occurring in the commission shall be filled in accordance with the laws of the compact state in which the vacancy exists.

(3) Each commissioner shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission. A commissioner shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for commissioners' participation in meetings by telephone or other means of communication.

(4) The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

(5) All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in article XI.

(6) The commission may convene in a closed, non-public meeting if the commission must discuss:

(A) Non-compliance of a compact state with its obligations under the compact;

(B) the employment, compensation, discipline or other personnel matters, practices or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;

(C) current, threatened or reasonably anticipated litigation against the commission;

(D) negotiation of contracts for the purchase or sale of goods, services or real estate;

(E) accusation against any person of a crime or formally censuring any person;

(F) disclosure of trade secrets or commercial or financial information that is privileged or confidential;

(G) disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(H) disclosure of investigatory records compiled for law enforcement purposes;

(I) disclosure of information related to any investigatory reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility for investigation or determination of compliance issues pursuant to the compact; or

(J) matters specifically exempted from disclosure by federal and state statute.

(7) If a meeting, or portion of a meeting, is closed pursuant to this provision, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken of any person participating in the meeting and the reasons therefor, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release only by a

majority vote of the commission or order of a court of competent jurisdiction.

(c) The commission shall, by a majority vote of the commissioners, prescribe bylaws or rules to govern its conduct as may be necessary or appropriate to carry out the purposes and exercise the powers of the compact, including, but not limited to:

- (1) Establishing the fiscal year of the commission;
- (2) providing reasonable standards and procedures:
  - (A) For the establishment and meetings of other committees; and
  - (B) governing any general or specific delegation of any authority or function of the commission;

(3) providing reasonable procedures for calling and conducting meetings of the commission, ensuring reasonable advance notice of all meetings and providing an opportunity for attendance of such meetings by interested parties, with enumerated exceptions designed to protect the public's interest, the privacy of individuals of such proceedings and proprietary information, including trade secrets. The commission may meet in closed session only after a majority of the commissioners vote to close a meeting to the public in whole or in part. As soon as practicable, the commission shall make public a copy of the vote to close the meeting revealing the vote of each commissioner, with no proxy votes allowed;

(4) establishing the titles, duties and authority and reasonable procedures for the election of the officers of the commission;

(5) providing reasonable standards and procedures for the establishment of the personnel policies and programs of the commission. Notwithstanding any civil service or other similar law of any compact state, the bylaws shall exclusively govern the personnel policies and programs of the commission;

(6) promulgating a code of ethics to address permissible and prohibited activities of commission members and employees;

(7) providing a mechanism for concluding the operations of the commission and the equitable disposition of any surplus funds that may exist after the termination of the compact after the payment or reserving of all of its debts and obligations;

(8) the commission shall publish its bylaws in a convenient form and file a copy thereof and a copy of any amendment thereto with the appropriate agency or officer in each of the compact states;

(9) the commission shall maintain its financial records in accordance with the bylaws; and

(10) the commission shall meet and take such actions as are consistent with the provisions of this compact and the bylaws.

(d) The commission shall have the following powers:

(1) The authority to promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. Such uniform rules shall have the force and effect of law and shall be binding in all compact states;

(2) to bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state psychology regulatory authority or other regulatory body responsible for psychology licensure to sue or be sued under applicable law shall not be affected;

(3) to purchase and maintain insurance and bonds;

(4) to borrow, accept or contract for services of personnel, including, but not limited to, employees of a compact state;

(5) to hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and to establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel and other related personnel matters;

(6) to accept any and all appropriate donations and grants of money, equipment, supplies, materials and services, and to receive, utilize and dispose of the same, provided that at all times the commission shall strive to avoid any appearance of impropriety or conflict of interest;

(7) to lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve or use, any real or personal property, or mixed, provided that at all times the commission shall strive to avoid any appearance of impropriety;

(8) to sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of any real or personal property, or mixed;

(9) to establish a budget and make expenditures;

(10) to borrow money;

(11) to appoint committees, including advisory committees comprised of members, state regulators, state legislators or their representatives, consumer representatives and such other interested persons as may be designated in this compact and the bylaws;

(12) to provide and receive information from, and to cooperate with, law enforcement agencies;

(13) to adopt and use an official seal; and

(14) to perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of psychology licensure, temporary in-person, face-to-face practice and telepsychology practice.

(e) *The executive board.* The elected officers shall serve as the executive board, and the executive board shall have the power to act on behalf of the commission according to the terms of this compact.

(1) The executive board shall be comprised of six members:

(A) Five voting members who are elected from the current membership of the commission by the commission; and

(B) one ex-officio, nonvoting member from the recognized membership organization composed of state and provincial psychology regulatory authorities.

(2) The ex-officio member shall have served as staff or member on a state

psychology regulatory authority and shall be selected by its respective organization.

(3) The commission may remove any member of the executive board as provided in bylaws.

(4) The executive board shall meet at least annually.

(5) The executive board shall have the following duties and responsibilities:

(A) Recommend to the entire commission changes to the rules or bylaws, changes to this compact legislation, fees paid by compact states, such as annual dues and any other applicable fees;

(B) ensure compact administration services are appropriately provided, contractual or otherwise;

(C) prepare and recommend the budget;

(D) maintain financial records on behalf of the commission;

(E) monitor compact compliance of member states and provide compliance reports to the commission;

(F) establish additional committees as necessary; and

(G) other duties as provided in rules or bylaws.

(f) *Financing of the commission.*

(1) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization and ongoing activities.

(2) The commission may accept any and all appropriate revenue sources, donations and grants of money, equipment, supplies, materials and services.

(3) The commission may levy on and collect an annual assessment from each compact state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the commission, and the commission shall promulgate a rule binding upon all compact states.

(4) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same, nor shall the commission pledge the credit of any of the compact states, except by and with the authority of the compact state.

(5) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the commission.

(g) *Qualified immunity, defense and indemnification.*

(1) The members, officers, executive director, employees and representatives of the

commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred, within the scope of commission employment, duties or responsibilities, provided that nothing in this paragraph shall be construed to protect any such person from suit or liability for any damage, loss, injury or liability caused by the intentional or willful or wanton misconduct of that person.

(2) The commission shall defend any member, officer, executive director, employee or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error or omission that occurred within the scope of commission employment, duties or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities: *Provided*, That nothing herein shall be construed to prohibit that person from retaining such person's own counsel: *And provided further*, That the actual or alleged act, error or omission did not result from that person's intentional or willful or wanton misconduct.

(3) The commission shall indemnify and hold harmless any member, officer, executive director, employee or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of commission employment, duties or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities, provided that the actual or alleged act, error or omission did not result from the intentional or willful or wanton misconduct of that person.

#### ARTICLE XI RULEMAKING

(a) The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this article and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

(b) If a majority of the legislatures of the compact states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact, then such rule shall have no further force and effect in any compact state.

(c) Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

(d) Prior to promulgation and adoption of a final rule or rules by the commission, and at least 60 days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rulemaking:

- (1) On the website of the commission; and
- (2) on the website of each compact states' psychology regulatory authority or the publication in which each state would otherwise publish proposed rules.

(e) The notice of proposed rulemaking shall include:

(1) The proposed time, date, and location of the meeting in which the rule will be considered and voted upon;

(2) the text of the proposed rule or amendment and the reason for the proposed rule;

(3) a request for comments on the proposed rule from any interested person; and

(4) the manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

(f) Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions and arguments, which shall be made available to the public.

(g) The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

(1) At least 25 persons who submit comments independently of each other;

(2) a governmental subdivision or agency; or

(3) a duly appointed person in an association that has at least 25 members.

(h) If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time and date of the scheduled public hearing.

(1) All persons wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing not less than five business days before the scheduled date of the hearing.

(2) Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

(3) No transcript of the hearing is required unless a written request for a transcript is made, in which case the person requesting the transcript shall bear the cost of producing the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This paragraph shall not preclude the commission from making a transcript or recording of the hearing if the commission so chooses.

(4) Nothing in this article shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

(i) Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

(j) The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

(k) If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

(l) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the compact and in this article shall be retroactively applied to the rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

- (1) Meet an imminent threat to public health, safety or welfare;
- (2) prevent a loss of commission or compact state funds;
- (3) meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
- (4) protect public health and safety.

(m) The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of 30 days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision shall take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

## ARTICLE XII

### OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT

#### (a) *Oversight.*

(1) The executive, legislative and judicial branches of state government in each compact state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

(2) All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a compact state pertaining to the subject matter of this compact that may affect the powers, responsibilities or actions of the commission.

(3) The commission shall be entitled to receive service of process in any such proceeding and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission shall render a judgment or order void as to the commission, this compact or promulgated rules.

#### (b) *Default, technical assistance and termination.*

(1) If the commission determines that a compact state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

(A) Provide written notice to the defaulting state and other compact states of the nature of the default, the proposed means of remedying the default and any other action

to be taken by the commission; and

(B) provide remedial training and specific technical assistance regarding the default.

(2) If a state in default fails to remedy the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the compact states, and all rights, privileges and benefits conferred by this compact shall be terminated on the effective date of termination. A remedy of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(3) Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be submitted by the commission to the governor and the majority and minority leaders of the defaulting state's legislature and each of the compact states.

(4) A compact state that has been terminated is responsible for all assessments, obligations and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(5) The commission shall not bear any costs incurred by the state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

(6) The defaulting state may appeal the action of the commission by petitioning the United States district court for the state of Georgia or the federal district where the compact has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney fees.

(c) *Dispute resolution.*

(1) Upon request by a compact state, the commission shall attempt to resolve disputes related to the compact that arise among compact states and between compact and non-compact states.

(2) The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes that arise before the commission.

(d) *Enforcement.*

(1) The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

(2) By majority vote, the commission may initiate legal action in the United States district court for the state of Georgia or the federal district where the compact has its principal offices against a compact state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney fees.

(3) The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

#### ARTICLE XIII

DATE OF IMPLEMENTATION OF THE PSYCHOLOGY  
INTERJURISDICTIONAL COMPACT COMMISSION AND  
ASSOCIATED RULES, WITHDRAWAL AND AMENDMENTS

(a) The compact shall come into effect on the date on which the compact is enacted into law in the 7<sup>th</sup> compact state. The provisions that become effective at that time shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the compact.

(b) Any state that joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

(c) Any compact state may withdraw from this compact by enacting a statute repealing the same.

(1) A compact state's withdrawal shall not take effect until six months after enactment of the repealing statute.

(2) withdrawal shall not affect the continuing requirement of the withdrawing state's psychology regulatory authority to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

(d) Nothing contained in this compact shall be construed to invalidate or prevent any psychology licensure agreement or other cooperative arrangement between a compact state and a non-compact state that does not conflict with the provisions of this compact.

(e) This compact may be amended by the compact states. No amendment to this compact shall become effective and binding upon any compact state until it is enacted into the law of all compact states.

ARTICLE XIV  
CONSTRUCTION AND SEVERABILITY

This compact shall be liberally construed so as to effectuate the purposes thereof. If this compact shall be held contrary to the constitution of any state member thereto, the compact shall remain in full force and effect as to the remaining compact states.

New Sec. 3. This section shall be known and may be cited as the physical therapy licensure compact.

SECTION 1.  
PURPOSE

(a) The purpose of this compact is to facilitate the interstate practice of physical therapy with the goal of improving public access to physical therapy services. The practice of physical therapy occurs in the state where the patient or client is located at the time of the patient or client encounter. The compact preserves the regulatory authority of states to protect public health and safety through the current system of state

licensure.

(b) This compact is designed to achieve the following objectives:

(1) Increase public access to physical therapy services by providing for the mutual recognition of other member state licenses;

(2) enhance the states' ability to protect the public's health and safety;

(3) encourage the cooperation of member states in regulating multi-state physical therapy practice;

(4) support spouses of relocating military members;

(5) enhance the exchange of licensure, investigative and disciplinary information between member states; and

(6) allow a remote state to hold a provider of services with a compact privilege in that state accountable to that state's practice standards.

## SECTION 2. DEFINITIONS

As used in this compact, and except as otherwise provided, the following definitions shall apply:

(a) "Active duty military" means full-time duty status in the active uniformed service of the United States, including members of the national guard and reserve on active duty orders pursuant to 10 U.S.C. §§ 1209 and 1211.

(b) "Adverse action" means disciplinary action taken by a physical therapy licensing board based upon misconduct, unacceptable performance, or a combination of both.

(c) "Alternative program" means a non-disciplinary monitoring or practice remediation process approved by a physical therapy licensing board. This includes, but is not limited to, substance abuse issues.

(d) "Compact privilege" means the authorization granted by a remote state to allow a licensee from another member state to practice as a physical therapist or work as a physical therapist assistant in the remote state under its laws and rules. The practice of physical therapy occurs in the member state where the patient or client is located at the time of the patient or client encounter.

(e) "Continuing competence" means a requirement, as a condition of license renewal, to provide evidence of participation in, or completion of, or both, educational and professional activities relevant to practice or the area of work.

(f) "Data system" means a repository of information about licensees, including examination, licensure, investigative, compact privilege and adverse action.

(g) "Encumbered license" means a license that a physical therapy licensing board has limited in any way.

(h) "Executive board" means a group of directors elected or appointed to act on behalf of and, within the powers granted to them, by the commission.

(i) "Home state" means the member state that is the licensee's primary state of

residence.

(j) "Investigative information" means information, records and documents received or generated by a physical therapy licensing board pursuant to an investigation.

(k) "Jurisprudence requirement" means the assessment of an individual's knowledge of the laws and rules governing the practice of physical therapy in a state.

(l) "Licensee" means an individual who currently holds an authorization from the state to practice as a physical therapist or to work as a physical therapist assistant.

(m) "Member state" means a state that has enacted the compact.

(n) "Party state" means any member state in which a licensee holds a current license or compact privilege or is applying for a license or compact privilege.

(o) "Physical therapist" means an individual who is licensed by a state to practice physical therapy.

(p) "Physical therapist assistant" means an individual who is licensed or certified by a state and who assists the physical therapist in selected components of physical therapy.

(q) "Physical therapy," "physical therapy practice," and "the practice of physical therapy" means the care and services provided by or under the direction and supervision of a licensed physical therapist.

(r) "Physical therapy compact commission" or "commission" means the national administrative body whose membership consists of all states that have enacted the compact.

(s) "Physical therapy licensing board" or "licensing board" means the agency of a state that is responsible for the licensing and regulation of physical therapists and physical therapist assistants.

(t) "Remote state" means a member state other than the home state, where a licensee is exercising or seeking to exercise the compact privilege.

(u) "Rule" means a rule, regulation, principle or directive promulgated by the commission that has the force of law.

(v) "State" means any state, commonwealth, district or territory of the United States that regulates the practice of physical therapy.

### SECTION 3.

#### STATE PARTICIPATION IN THE COMPACT

(a) To participate in the compact, a state must:

(1) Participate fully in the commission's data system, including using the commission's unique identifier as defined in rules;

(2) have a mechanism in place for receiving and investigating complaints about licensees;

(3) notify the commission, in compliance with the terms of the compact and rules, of any adverse action or the availability of investigative information regarding a licensee;

(4) fully implement a criminal background check requirement, within a time frame established by rule, by receiving the results of the federal bureau of investigation record search on criminal background checks and use the results in making licensure decisions in accordance with this compact;

(5) comply with the rules of the commission;

(6) utilize a recognized national examination as a requirement for licensure pursuant to the rules of the commission; and

(7) have continuing competence requirements as a condition for license renewal.

(b) Upon adoption of this compact, the member state shall have the authority to obtain biometric-based information from each physical therapy licensure applicant and submit this information to the federal bureau of investigation for a criminal background check in accordance with 28 U.S.C. § 534 and 42 U.S.C. § 14616.

(c) A member state shall grant the compact privilege to a licensee holding a valid unencumbered license in another member state in accordance with the terms of the compact and rules.

(d) Member states may charge a fee for granting a compact privilege.

#### SECTION 4.

#### COMPACT PRIVILEGE

(a) To exercise the compact privilege under the terms and provisions of the compact, the licensee shall:

(1) Hold a license in the home state;

(2) have no encumbrance on any state license;

(3) be eligible for a compact privilege in any member state in accordance with section 4(d), (g) and (h);

(4) have not had any adverse action against any license or compact privilege within the previous two years;

(5) notify the commission that the licensee is seeking the compact privilege within a remote state;

(6) pay any applicable fees, including any state fee, for the compact privilege;

(7) meet any jurisprudence requirements established by the remote state in which the licensee is seeking a compact privilege; and

(8) report to the commission adverse action taken by any non-member state within 30 days from the date the adverse action is taken.

(b) The compact privilege is valid until the expiration date of the home license. The licensee must comply with the requirements of section 4(a) to maintain the compact privilege in the remote state.

(c) A licensee providing physical therapy in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

(d) A licensee providing physical therapy in a remote state is subject to that state's

regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's compact privilege in the remote state for a specific period of time or impose fines, or both, and may take any other necessary actions to protect the health and safety of its citizens. The licensee is not eligible for a compact privilege in any state until the specific time for removal has passed and all fines are paid.

(e) If a home state license is encumbered, the licensee shall lose the compact privilege in any remote state until the following occur:

- (1) The home state license is no longer encumbered; and
- (2) two years have elapsed from the date of the adverse action.

(f) Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of section 4(a) to obtain a compact privilege in any remote state.

(g) If a licensee's compact privilege in any remote state is removed, the individual shall lose the compact privilege in any remote state until the following occur:

- (1) The specific period of time for which the compact privilege was removed has ended;
- (2) all fines have been paid; and
- (3) two years have elapsed from the date of the adverse action.

(h) Once the requirements of section 4(g) have been met, the licensee must meet the requirements in section 4(a) to obtain a compact privilege in a remote state.

#### SECTION 5.

##### ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES

A licensee who is active duty military or is the spouse of an individual who is active duty military may designate one of the following as the home state:

- (a) Home of record;
- (b) permanent change of station (PCS); or
- (c) state of current residence, if it is different than the PCS state or home of record.

#### SECTION 6.

##### ADVERSE ACTIONS

(a) A home state shall have exclusive power to impose adverse action against a license issued by the home state.

(b) A home state may take adverse action based on the investigative information of a remote state, so long as the home state follows its own procedures for imposing adverse action.

(c) Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action and that such participation shall remain non-public if required by the member state's laws. Member states must require licensees who enter any alternative programs in lieu of discipline to agree not to practice in any other member state during the term of the alternative program without prior authorization from such other member state.

(d) Any member state may investigate actual or alleged violations of the statutes and rules authorizing the practice of physical therapy in any other member state in which a physical therapist or physical therapist assistant holds a license or compact privilege.

(e) A remote state shall have the authority to:

(1) Take adverse actions as set forth in section 4(d) against a licensee's compact privilege in the state;

(2) issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses and the production of evidence. Subpoenas issued by a physical therapy licensing board in a party state for the attendance and testimony of witnesses, or the production of evidence, or both, from another party state shall be enforced in the latter state by any court of competent jurisdiction according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before that court. The issuing authority shall pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the state where the witnesses or evidence, or both, are located; and

(3) if otherwise permitted by state law, recover from the licensee the costs of investigations and disposition of cases resulting from any adverse action taken against that licensee.

(f) Joint investigations:

(1) In addition to the authority granted to a member state by its respective physical therapy practice act or other applicable state law, a member state may participate with other member states in joint investigations of licensees.

(2) Member states shall share any investigative, litigation or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

#### SECTION 7.

##### ESTABLISHMENT OF THE PHYSICAL THERAPY COMPACT COMMISSION

(a) The compact member states hereby create and establish a joint public agency known as the physical therapy compact commission:

(1) The commission is an instrumentality of the compact states.

(2) Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

(3) Nothing in this compact shall be construed to be a waiver of sovereign immunity.

(b) Membership, voting, and meetings:

(1) Each member state shall have and be limited to one delegate selected by that member state's licensing board.

(2) The delegate shall be a current member of the licensing board, who is a physical

therapist, physical therapist assistant, public member or the board administrator.

(3) Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed.

(4) The member state board shall fill any vacancy occurring in the commission.

(5) Each delegate shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission.

(6) A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

(7) The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

(c) The commission shall have the following powers and duties:

(1) Establish the fiscal year of the commission;

(2) establish bylaws;

(3) maintain its financial records in accordance with the bylaws;

(4) meet and take such actions as are consistent with the provisions of this compact and the bylaws;

(5) promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rules shall have the force and effect of law and shall be binding in all member states;

(6) bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state physical therapy licensing board to sue or be sued under applicable law shall not be affected;

(7) purchase and maintain insurance and bonds;

(8) borrow, accept or contract for services of personnel including, but not limited to, employees of a member state;

(9) hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel and other related personnel matters;

(10) accept any and all appropriate donations and grants of money, equipment, supplies, materials and services and receive, utilize and dispose of the same, except that at all times the commission shall avoid any appearance of impropriety or conflict of interest, or both;

(11) lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve or use, any property, real, personal or mixed, except that at all times the commission shall avoid any appearance of impropriety;

(12) sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose

of any property, real, personal or mixed;

(13) establish a budget and make expenditures;

(14) borrow money;

(15) appoint committees, including standing committees comprised of members, state regulators, state legislators or their representatives, and consumer representatives and such other interested persons as may be designated in this compact and the bylaws;

(16) provide and receive information from, and cooperate with, law enforcement agencies;

(17) establish and elect an executive board; and

(18) perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of physical therapy licensure and practice.

(d) The executive board shall have the power to act on behalf of the commission according to the terms of this compact.

(1) The executive board shall be comprised of nine members:

(A) Seven voting members, who are elected by the commission from the current membership of the commission;

(B) one ex-officio, non-voting member from the recognized national physical therapy professional association; and

(C) one ex-officio, non-voting member from the recognized membership organization of the physical therapy licensing boards.

(2) The ex-officio members will be selected by their respective organizations.

(3) The commission may remove any member of the executive board as provided in the bylaws.

(4) The executive board shall meet at least annually.

(5) The executive board shall have the following duties and responsibilities:

(A) Recommend to the entire commission changes to the rules or bylaws, changes to this compact legislation, fees paid by compact member states such as annual dues and any commission compact fee charged to licensees for the compact privilege;

(B) ensure compact administration services are appropriately provided, contractual or otherwise;

(C) prepare and recommend the budget;

(D) maintain financial records on behalf of the commission;

(E) monitor compact compliance of member states and provide compliance reports to the commission;

(F) establish additional committees as necessary; and

(G) other duties as provided in rules or bylaws.

(e) Meetings of the commission:

(1) All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in section 9.

(2) The commission or the executive board or other committees of the commission may convene in a closed, non-public meeting, if the commission or executive board or other committees of the commission must discuss:

(A) Non-compliance of a member state with its obligations under the compact;

(B) the employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;

(C) current, threatened or reasonably anticipated litigation;

(D) negotiation of contracts for the purchase, lease or sale of goods, services or real estate;

(E) accusing any person of a crime or formally censuring any person;

(F) disclosure of trade secrets or commercial or financial information that is privileged or confidential;

(G) disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(H) disclosure of investigative records compiled for law enforcement purposes;

(I) disclosure of information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or

(J) matters specifically exempted from disclosure by federal or member state statute.

(3) If a meeting, or portion of a meeting, is closed pursuant to this provision, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.

(4) The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

(f) Financing of the commission:

(1) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization and ongoing activities.

(2) The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials and services.

(3) The commission may levy on and collect an annual assessment from each

member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the commission, which shall promulgate a rule binding upon all member states.

(4) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

(5) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

(g) Qualified immunity, defense and indemnification:

(1) The members, officers, executive director, employees and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred, within the scope of commission employment, duties or responsibilities, except that nothing in this paragraph shall be construed to protect any such person from suit or liability, or both, for any damage, loss, injury or liability caused by the intentional or willful or wanton misconduct of that person.

(2) The commission shall defend any member, officer, executive director, employee or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error or omission that occurred within the scope of commission employment, duties or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities, except that nothing herein shall be construed to prohibit that person from retaining such person's own counsel and except that the actual or alleged act, error or omission did not result from that person's intentional or willful or wanton misconduct.

(3) The commission shall indemnify and hold harmless any member, officer, executive director, employee or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of commission employment, duties or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities, so long as the actual or alleged act, error or omission did not result from the intentional or willful or wanton misconduct of that person.

#### SECTION 8. DATA SYSTEM

(a) The commission shall provide for the development, maintenance and utilization of a coordinated database and reporting system containing licensure, adverse action and investigative information on all licensed individuals in member states.

(b) Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this compact is applicable as required by the rules of the commission, including:

- (1) Identifying information;
- (2) licensure data;
- (3) adverse actions against a license or compact privilege;
- (4) non-confidential information related to alternative program participation;
- (5) any denial of application for licensure, and the reason for such denial; and
- (6) other information that may facilitate the administration of this compact, as determined by the rules of the commission.

(c) Investigative information pertaining to a licensee in any member state will only be available to other party states.

(d) The commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license. Adverse action information pertaining to a licensee in any member state will be available to any other member state.

(e) Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

(f) Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the data system.

#### SECTION 9. RULEMAKING

(a) The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

(b) If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.

(c) Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

(d) Prior to promulgation and adoption of a final rule or rules by the commission, and at least 30 days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rulemaking:

- (1) On the website of the commission or other publicly accessible platform; and

(2) on the website of each member state's physical therapy licensing board or other publicly accessible platform or the publication in which each state would otherwise publish proposed rules.

(e) The notice of proposed rulemaking shall include:

(1) The proposed time, date and location of the meeting in which the rule will be considered and voted upon;

(2) the text of the proposed rule or amendment and the reason for the proposed rule;

(3) a request for comments on the proposed rule from any interested person; and

(4) the manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

(f) Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions and arguments, which shall be made available to the public.

(g) The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

(1) At least 25 persons;

(2) a state or federal governmental subdivision or agency; or

(3) an association having at least 25 members.

(h) If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time and date of the scheduled public hearing. If the hearing is held via electronic means, the commission shall publish the mechanism for access to the electronic hearing.

(1) All persons wishing to be heard at the hearing shall notify the executive director of the commission, or other designated member, in writing of their desire to appear and testify at the hearing not less than five business days before the scheduled date of the hearing.

(2) Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

(3) All hearings will be recorded. A copy of the recording will be made available on request.

(4) Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

(i) Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

(j) If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

(k) The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

(l) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, so long as the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

- (1) Meet an imminent threat to public health, safety or welfare;
- (2) prevent a loss of commission or member state funds;
- (3) meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
- (4) protect public health and safety.

(m) The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of 30 days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing, and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

#### SECTION 10.

##### OVERSIGHT, DISPUTE RESOLUTION AND ENFORCEMENT

###### (a) Oversight:

(1) The executive, legislative and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

(2) All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact that may affect the powers, responsibilities or actions of the commission.

(3) The commission shall be entitled to receive service of process in any such proceeding and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission shall render a judgment or order void as to the commission, this compact or promulgated rules.

###### (b) Default, technical assistance and termination:

(1) If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated

rules, the commission shall:

(A) Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default and any other action to be taken by the commission; and

(B) provide remedial training and specific technical assistance regarding the default.

(2) If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(3) Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature and each of the member states.

(4) A state that has been terminated is responsible for all assessments, obligations and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(5) The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

(6) The defaulting state may appeal the action of the commission by petitioning the United States district court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member state shall be awarded all costs of such litigation, including reasonable attorney fees.

(c) Dispute resolution:

(1) Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and non-member states.

(2) The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

(d) Enforcement:

(1) The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

(2) By majority vote, the commission may initiate legal action in the United States district court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney fees.

(3) The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

#### SECTION 11.

##### DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR PHYSICAL THERAPY PRACTICE AND ASSOCIATED RULES, WITHDRAWAL AND AMENDMENT

(a) The compact shall come into effect on the date on which the compact statute is enacted into law in the 10<sup>th</sup> member state. The provisions that become effective at that time shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the compact.

(b) Any state that joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

(c) Any member state may withdraw from this compact by enacting a statute repealing the same.

(1) A member state's withdrawal shall not take effect until six months after enactment of the repealing statute.

(2) Withdrawal shall not affect the continuing requirement of the withdrawing state's physical therapy licensing board to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

(d) Nothing contained in this compact shall be construed to invalidate or prevent any physical therapy licensure agreement or other cooperative arrangement between a member state and a non-member state that does not conflict with the provisions of this compact.

(e) This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

#### SECTION 12.

##### CONSTRUCTION AND SEVERABILITY

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any party state, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the party state affected as to all severable matters.

New Sec. 4. (a) As part of an original application for a license as a physical therapist or a certificate as a physical therapy assistant or as part of an original

application for reinstatement of a license or certificate or in connection with any investigation of any holder of a license or certificate, the state board of healing arts may require a person to be fingerprinted and submit to a state and national criminal history record check. The fingerprints shall be used to identify the person and to determine whether the person has a record of criminal history in this state or other jurisdiction. The state board of healing arts is authorized to submit the fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. The state board of healing arts may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the person and in the official determination of the qualifications and fitness of the person to be issued or to maintain a license or certificate.

(b) Local and state law enforcement officers and agencies shall assist the state board of healing arts in taking and processing of fingerprints of applicants for and holders of any license or certificate and shall release all records of adult convictions and nonconvictions and adult convictions or adjudications of another state or country to the state board of healing arts.

(c) The state board of healing arts may fix and collect a fee as may be required by the board in an amount necessary to reimburse the board for the cost of fingerprinting and the criminal history record check. Any moneys collected under this subsection shall be deposited in the state treasury and credited to the healing arts fee fund.

(d) This section shall be a part of and supplemental to the physical therapy practice act.

Sec. 5. K.S.A. 65-2912 is hereby amended to read as follows: 65-2912. (a) The board may refuse to grant a license to any physical therapist or a certificate to any physical therapist assistant, ~~or~~ may suspend or revoke the license or compact privilege of any licensed physical therapist or certificate or compact privilege of any certified physical therapist assistant, ~~or~~ may limit the license or compact privilege of any licensed physical therapist or certificate or compact privilege of any certified physical therapist assistant or may censure a licensed physical therapist or certified physical therapist assistant for any of the following grounds:

- (1) Addiction to or distribution of intoxicating liquors or drugs for other than lawful purposes;
- (2) conviction of a felony if the board determines, after investigation, that the physical therapist or physical therapist assistant has not been sufficiently rehabilitated to warrant the public trust;
- (3) obtaining or attempting to obtain licensure or certification by fraud or deception;
- (4) finding by a court of competent jurisdiction that the physical therapist or physical therapist assistant is a disabled person and has not thereafter been restored to legal capacity;
- (5) unprofessional conduct as defined by rules and regulations adopted by the board;
- (6) the treatment or attempt to treat ailments or other health conditions of human beings other than by physical therapy and as authorized by this act;
- (7) failure to refer patients to other ~~health care~~ healthcare providers if symptoms are

present for which physical therapy treatment is inadvisable or if symptoms indicate conditions for which treatment is outside the scope of knowledge of the licensed physical therapist;

(8) evaluating or treating patients in a manner not consistent with K.S.A. 65-2921, and amendments thereto; and

(9) knowingly submitting any misleading, deceptive, untrue or fraudulent misrepresentation on a claim form, bill or statement.

(b) All proceedings pursuant to article 29 of chapter 65 of the Kansas Statutes Annotated, and ~~acts amendatory of the provisions thereof or supplemental amendments~~ thereto, shall be conducted in accordance with the provisions of the Kansas administrative procedure act and shall be reviewable in accordance with the Kansas judicial review act.

Sec. 6. K.S.A. 65-2920 is hereby amended to read as follows: 65-2920. Professional liability insurance coverage shall be maintained in effect by each licensed physical therapist actively practicing in this state, including each physical therapist licensed in a home state and practicing in this state under the physical therapy licensure compact, as a condition to rendering professional services as a physical therapist in this state. The board shall fix by rules and regulations the minimum level of coverage for such professional liability insurance.

Sec. 7. K.S.A. 65-2923 is hereby amended to read as follows: 65-2923. (a) The board shall adopt rules and regulations establishing minimum education and training requirements for the practice of dry needling by a licensed physical therapist, including a physical therapist licensed in a home state and practicing in this state under the physical therapy licensure compact.

(b) This section shall be a part of and supplemental to the physical therapy practice act.";

Also on page 6, in line 5, by striking "75-5664 and 75-5665" and inserting "65-2912, 65-2920 and 65-2923"; in line 7, by striking "Kansas register" and inserting "statute book";

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 4; in line 5, by striking all before "amending" and inserting "the practice and licensing of health professions; relating to the enactment of compacts; enacting the psychology interjurisdictional compact; providing for the interjurisdictional authorization to practice telepsychology and temporary in-person, face-to-face psychology; enacting the physical therapy licensure compact; providing for interstate practice authority for physical therapy in compact states; authorizing criminal history record checks for physical therapist licensure;"; in line 6, by striking all before the second "and" and inserting "65-2912, 65-2920 and 65-2923";

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

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Brenda Landwehr

JOHN EPLEE

BRETT PARKER

*Conferees on part of House*

RICHARD HILDERBRAND  
 BEVERLY GOSSAGE  
 PAT PETTEY

*Conferees on part of Senate*

On motion of Rep. Landwehr, the conference committee report on **SB 170** was adopted.

On roll call, the vote was: Yeas 119; Nays 4; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Fairchild, Jacobs, Lee-Hahn, Poetter.

Present but not voting: None.

Absent or not voting: Howard, Victors.

### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 238** 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 17 through 34;

By striking all on pages 2 through 34;

On page 35, by striking all in lines 1 through 10; following line 10, by inserting:

"New Section 1. (a) Any complaint, investigation, report, record or other information relating to a complaint or investigation that is received, obtained or maintained by the board shall be confidential and shall not be disclosed by the board or its employees in a manner that identifies or enables identification of the person who is the subject or source of the information, except the information may be disclosed:

(1) In any proceeding conducted by the board under the law or in an appeal of an order of the board entered in a proceeding, or to any party to a proceeding or appeal or the party's attorney;

(2) to the person who is the subject of the information or to any person or entity when requested by the person who is the subject of the information, but the board may

require disclosure in such a manner that will prevent identification of any other person who is the subject or source of the information; or

(3) to a state or federal licensing, regulatory or enforcement agency with jurisdiction over the subject of the information or to an agency with jurisdiction over acts or conduct similar to acts or conduct that would constitute grounds for action under this act. Any confidential complaint or report, record or other information disclosed by the board as authorized by this section shall not be disclosed by the receiving agency except as otherwise authorized by law.

(b) Except as provided in subsection (a), no applicant, registrant or individual shall have access to any complaint, investigation, report, record or information concerning a complaint or investigation in progress until the investigation and any enforcement action is completed. This section shall not be construed to authorize the release of records, reports or other information that are subject to other specific state or federal laws concerning their disclosure.

(c) This section shall be a part of and supplemental to the pharmacy act of the state of Kansas.

New Sec. 2. (a) (1) As a condition of probation or other disciplinary action under K.S.A. 65-1627 or 65-1657, and amendments thereto, the board may require that a licensee or registrant be subject to additional compliance inspections or audits and pay the actual costs of such inspections and audits.

(2) If a licensee or registrant fails to comply with a board order regarding the costs of additional inspections and audits, the board may impose additional disciplinary action against the licensee or registrant for failure to comply with a lawful order of the board under K.S.A. 65-1627, and amendments thereto.

(b) Actual costs under this section include, but are not limited to:

- (1) Salaries and wages;
- (2) travel, mileage and lodging;
- (3) subsistence allowances;
- (4) document storage, shipping and handling; or
- (5) other expenses deemed reasonable and necessary by the board.

(c) All moneys assessed and collected under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury to the credit of the state board of pharmacy fee fund.

(d) This section shall be a part of and supplemental to the pharmacy act of the state of Kansas.

New Sec. 3. (a) As used in this section:

(1) "Telepharmacy" means the practice of pharmacy by a pharmacist located in Kansas using telecommunications or other automations and technologies to deliver personalized, electronically documented, real-time pharmaceutical care to patients or their agents, who are located at sites other than where the pharmacist is located,

including prescription dispensing and counseling and to oversee and supervise telepharmacy outlet operations.

(2) "Telepharmacy outlet" means a pharmacy site located in Kansas that:

(A) Is registered as a pharmacy under the act;

(B) is owned by the managing pharmacy;

(C) is connected via computer link, video link and audio link or other functionally equivalent telecommunications equipment with a supervising pharmacy located in Kansas; and

(D) has a pharmacy technician on site who performs activities under the electronic supervision of a pharmacist located in Kansas.

(b) A pharmacist shall be in attendance at the telepharmacy outlet by connecting to the telepharmacy outlet via computer link, video link and audio link or other functionally equivalent telecommunications equipment and shall be available to consult with and assist the pharmacy technician in performing activities.

(c) Not later than January 1, 2023, the board shall adopt rules and regulations necessary to specify additional criteria for a managing pharmacy and telepharmacy outlet under this section, including, but not limited to:

(1) Application requirements;

(2) structural, security, technology and equipment requirements;

(3) staffing, training and electronic supervision requirements;

(4) inventory record keeping and storage requirements;

(5) labeling requirements;

(6) establishment of policies and procedures;

(7) the number of telepharmacy outlets that may be operated by a supervising pharmacy;

(8) use of automated dispensing machines; and

(9) criteria for requesting exemptions or waivers from the requirements set forth in rules and regulations adopted under this subsection.

(d) This section shall be a part of and supplemental to the pharmacy act of the state of Kansas.

New Sec. 4. (a) The board shall require an applicant for registration as a manufacturer or virtual manufacturer under K.S.A. 65-1643, and amendments thereto, or an applicant for renewal of such a registration, to provide the following information:

(1) The name, full business address and telephone number of the applicant;

(2) all trade or business names used by the applicant;

(3) all addresses, telephone numbers and the names of contact individuals for all facilities used by the applicant for the storage, handling and distribution of prescription drugs or devices;

- (4) the type of ownership or operation of the applicant;
- (5) the name of the owner or operator of the applicant, including:
  - (A) If an individual, the name of the individual;
  - (B) if a partnership, the name of each partner and the name of the partnership;
  - (C) if a corporation, the name and title of each corporate officer and director of the corporation and the name of the state of incorporation; or
  - (D) if a sole proprietorship, the full name of the sole proprietor and the name of the business entity; and
- (6) any other information as the board deems appropriate.

Changes in any information in this subsection shall be submitted to the board in a form and manner prescribed by the board.

(b) In reviewing the qualifications for applicants for initial registration or renewal of registration as a manufacturer or virtual manufacturer, the board shall consider the following factors:

- (1) Any convictions of the applicant under any federal, state or local laws relating to drug samples, manufacture of drugs or devices, wholesale or retail drug distribution or distribution of controlled substances;
- (2) any felony convictions of the applicant under federal or state laws;
- (3) the applicant's past experience in the manufacture or distribution of prescription drugs including controlled substances;
- (4) the furnishing by the applicant of false or fraudulent material in any application made in connection with drug manufacturing or distribution;
- (5) discipline, censure, warning, suspension or revocation by federal, state or local government of any license or registration currently or previously held by the applicant for the manufacture or distribution of any drugs including controlled substances;
- (6) compliance with registration requirements under previously granted registrations, if any;
- (7) compliance with requirements to maintain or make available to the board or to the federal, state or local law enforcement officials those records required by the federal food, drug and cosmetic act, and rules and regulations adopted pursuant thereto; and
- (8) any other factors or qualifications deemed by the board to be relevant to and consistent with the public health and safety.

(c) After consideration of the qualifications for applicants for registration as a manufacturer or virtual manufacturer, the board may deny an initial application for registration or application for renewal of a registration if the board determines that the granting of such registration would not be in the public interest. The authority of the board under this subsection to deny a registration as a manufacturer or virtual manufacturer shall be in addition to the authority of the board under K.S.A. 65-1627(f) and 65-1645(e), and amendments thereto.

(d) The board by rules and regulations shall require that personnel employed by persons registered as a manufacturer or virtual manufacturer have appropriate education or experience to assume responsibility for positions related to compliance with state registration requirements.

(e) The board by rules and regulations may implement this section to conform to any requirements of the federal drug supply chain security act, 21 U.S.C. § 351 et seq., in effect on July 1, 2021.

(f) Each facility that manufactures drugs or devices shall undergo an inspection by the board or a third party recognized by the board prior to initial registration and periodically thereafter in accordance with a schedule to be determined by the board but not less than once every three years. The board shall adopt rules and regulations not later than July 1, 2022, to establish standards and requirements for the issuance and maintenance of a manufacturer and virtual manufacturer registration, including inspections.

(g) The board may register a manufacturer or virtual manufacturer that is licensed or registered under the laws of another state if:

(1) The requirements of that state are deemed by the board to be substantially equivalent to the requirements of this state; or

(2) the applicant is inspected by a third party recognized and approved by the board.

(h) The board by rule and regulation shall establish standards and requirements for the issuance and maintenance of a manufacturer and virtual manufacturer registration, including, but not limited to, requirements regarding the following:

- (1) An application and renewal fee;
- (2) a surety bond;
- (3) registration and periodic inspections;
- (4) certification of a designated representative;
- (5) designation of a registered agent;
- (6) storage of drugs and devices;
- (7) handling, transportation and shipment of drugs and devices;
- (8) security;
- (9) examination of drugs and devices and treatment of those found to be unacceptable as defined by the board;
- (10) due diligence regarding other trading partners;
- (11) creation and maintenance of records, including transaction records;
- (12) procedures for operation; and
- (13) procedures for compliance with the requirements of the federal drug supply chain security act, 21 U.S.C. § 351 et seq.

(i) This section shall be a part of and supplemental to the pharmacy act of the state

of Kansas.

Sec. 5. K.S.A. 65-636 is hereby amended to read as follows: 65-636. It shall be unlawful for any ~~person, individual~~ who is not legally licensed as a pharmacist by the state board of pharmacy; or any ~~person individual~~, firm or corporation who does not have in continuous employ, at each place of business, a pharmacist licensed by the state board of pharmacy, to take, use or exhibit the title "drugstore," "pharmacy" or "apothecary" or any combination of such titles, or any title or description of like import, or any other term designed to take the place of such title, if such title is being used in the context of health, medical or pharmaceutical care and the individual, firm or corporation has not provided a disclaimer sufficient to notify consumers that a pharmacist is not employed.

Sec. 6. K.S.A. 2020 Supp. 65-1626 is hereby amended to read as follows: 65-1626. ~~For the purposes of this act~~ As used in the pharmacy act of the state of Kansas:

(a) "Address" means, with respect to prescriptions, the physical address where a patient resides, including street address, city and state.

(b) "Administer" means the direct application of a drug, whether by injection, inhalation, ingestion or any other means, to the body of a patient or research subject by:

(1) A practitioner or pursuant to the lawful direction of a practitioner;

(2) the patient or research subject at the direction and in the presence of the practitioner; or

(3) a pharmacist as authorized in K.S.A. 65-1635a or K.S.A.2020 Supp. 65-16,129, and amendments thereto.

~~(b)~~(c) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, repackager, wholesale distributor, third-party logistics provider or dispenser but does not include a common carrier, public warehouseman or employee of the carrier or warehouseman when acting in the usual and lawful course of the carrier's or warehouseman's business.

~~(e)~~ "Application service provider" means an entity that sells electronic prescription or pharmacy prescription applications as a hosted service where the entity controls access to the application and maintains the software and records on its server.

(d) "Automated dispensing system" means a robotic or mechanical system controlled by a computer that: (1) Performs operations or activities, other than compounding or administration, relative to the storage, packaging, labeling, dispensing or distribution of drugs; (2) collects, controls and maintains all transaction information; and (3) operates in accordance with the board's rules and regulations.

(e) "Biological product" means the same as defined in 42 U.S.C. § 262(i), as in effect on January 1, 2017.

(f) "Board" means the state board of pharmacy created by K.S.A. 74-1603, and amendments thereto.

(g) "Brand exchange," in the case of a drug prescribed, means the dispensing of a different drug product of the same dosage form and strength and of the same generic name as the brand name drug product prescribed, and in the case of a biological product prescribed, means the dispensing of an interchangeable biological product.

(h) "Brand name" means the registered trademark name given to a drug product by its manufacturer, labeler or distributor.

(i) "Co-licensed partner" means a person or pharmaceutical manufacturer that has entered into an agreement with another pharmaceutical manufacturer or an affiliate of

the manufacturer to engage in a business activity or occupation related to the manufacture or distribution of a product.

(j) "Common carrier" means any person who undertakes, whether directly or by any other arrangement, to transport property, including drugs, for compensation.

(k) (1) "Compounding" means the combining of components into a compounded preparation under either of the following conditions:

~~(+)(A)~~ As the result of a practitioner's prescription drug order or initiative based on the practitioner-patient-pharmacist relationship in the course of professional practice to meet the specialized medical need of an individual patient of the practitioner that cannot be filled by an FDA-approved drug; or

~~(2)(B)~~ for the purpose of, or incidental to, research, teaching or chemical analysis, and not for sale or dispensing.

(2) Compounding includes the preparation of drugs or devices in anticipation of receiving prescription drug orders based on routine, regularly observed prescribing patterns.

(3) Compounding does not include reconstituting any ~~oral or topical~~ mixed drug according to the FDA-approved labeling for the drug ~~or preparing any sterile or nonsterile preparation that is essentially a copy of a commercially available product.~~

(l) "Current good manufacturing practices" or "CGMP" means the requirements for ensuring that drugs and drug products are consistently manufactured, repackaged, produced, stored and dispensed in accordance with 21 C.F.R. §§ 207, 210 and 211.

(m) "DEA" means the ~~U.S.~~ United States department of justice, drug enforcement administration.

~~(+)(n)~~ "Deliver" or "delivery" means the actual, constructive or attempted transfer from one person to another of any drug whether or not an agency relationship exists.

(o) "Device" means an instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent or other similar or related article, including a component part or accessory that:

(1) (A) Is recognized in the official national formulary, or the United States pharmacopoeia, or any supplement thereof;

(B) is intended for use in the diagnosis of disease or other conditions;

(C) is used for the cure, mitigation, treatment or prevention of disease in human or other animals; or

(D) is intended to affect the structure or any function of the body of human or other animals; and

(2) (A) does not achieve its primary intended purposes through chemical action within or on the body of human or other animals; and

(B) is not dependent upon being metabolized for the achievement of any of its primary intended purposes.

~~(+)(p)~~ "Direct supervision" means the process by which the responsible pharmacist shall observe and direct the activities of a ~~pharmacy student pharmacist intern~~ or pharmacy technician ~~to a sufficient degree to assure that all such activities are performed accurately, safely and without risk or harm to patients, be readily and immediately available at all time activities are performed, provide personal assistance, direction and approval throughout the time the activities are performed and complete the final check before dispensing.~~

~~(+)(q)~~ "Dispense" or "dispensing" means to deliver prescription medication to the

ultimate user or research subject by or pursuant to the lawful order of a practitioner or pursuant to the prescription of a mid-level practitioner, including, but not limited to, delivering prescription medication to a patient by mail, common carrier, personal delivery or third-party delivery to any location requested by the patient.

~~(p)~~(r) "Dispenser" means:

(1) A practitioner or pharmacist who dispenses prescription ~~medication, drugs or devices~~ or a physician assistant who has authority to dispense prescription-only drugs in accordance with K.S.A. 65-28a08(b), and amendments thereto; or

(2) a retail pharmacy, hospital pharmacy or group of pharmacies under common ownership and control that do not act as a wholesale distributor, ~~or affiliated warehouses or distribution centers of such entities under common ownership and control that do not act as a wholesale distributor.~~

~~(q)~~(s) "Distribute" or "distribution" means to deliver, offer to deliver, sell, offer to sell, purchase, trade, transfer, broker, give away, handle, store or receive, other than by administering or dispensing, any product, but does not include dispensing a product pursuant to a prescription executed in accordance with 21 U.S.C. § 353 or the dispensing of a product approved under 21 U.S.C. § 360b.

~~(r)~~(t) "Distributor" means a person or entity that distributes a drug or device.

(u) "Diversion" means the transfer of a controlled substance from a lawful to an unlawful channel of distribution or use.

~~(s)~~(v) "Drop shipment" means the sale, by a manufacturer, repackager or exclusive distributor, of the manufacturer's prescription drug to a wholesale distributor whereby the wholesale distributor takes title but not possession of such prescription drug and the wholesale distributor invoices the dispenser, and the dispenser receives delivery of the prescription drug directly from the manufacturer, repackager, third-party logistics provider or exclusive distributor, of such prescription drug.

~~(t)~~(w) "Drug" means: (1) Articles recognized in the official United States pharmacopeia, or other such official compendiums of the United States, or official national formulary, or any supplement to any of them; (2) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in human or other animals; (3) articles, other than food, intended to affect the structure or any function of the body of human or other animals; and (4) articles intended for use as a component of any articles specified in paragraph (1), (2) or (3); but does not include devices or their components, parts or accessories, except that the term "drug" shall not include amygdalin (laetrile) or any livestock remedy, if such livestock remedy had been registered in accordance with the provisions of article 5 of chapter 47 of the Kansas Statutes Annotated, prior to its repeal.

~~(u)~~(x) "Durable medical equipment" means equipment that: (1) Provides therapeutic benefits or enables an individual to perform certain tasks that the individual is unable to otherwise undertake due to certain medical conditions or illnesses; (2) is primarily and customarily used to serve a medical purpose; (3) generally is not useful to a person in the absence of an illness or injury; (4) can withstand repeated use; (5) is appropriate for use in the home, long-term care facility or medical care facility, but may be transported to other locations to allow the individual to complete instrumental activities of daily living that are more complex tasks required for independent living; and (6) may include devices and medical supplies or other similar equipment determined by the board in rules and regulations adopted by the board.

~~(v)~~(y) "Electronic prescription" means an electronically prepared prescription that is authorized and transmitted from the prescriber to the pharmacy by means of electronic transmission.

~~(w)~~(z) "Electronic prescription application" means software that is used to create electronic prescriptions and that is intended to be installed on the prescriber's computers and servers where access and records are controlled by the prescriber.

~~(x)~~(aa) "Electronic signature" means a confidential personalized digital key, code, number or other method for secure electronic data transmissions that identifies a particular person as the source of the message, authenticates the signatory of the message and indicates the person's approval of the information contained in the transmission.

~~(y)~~(bb) "Electronic transmission" means the transmission of an electronic prescription, formatted as an electronic data file, from a prescriber's electronic prescription application to a pharmacy's computer, where the data file is imported into the pharmacy prescription application.

~~(z)~~(cc) "Electronically prepared prescription" means a prescription that is generated using an electronic prescription application.

~~(aa)~~(dd) "Exclusive distributor" means the wholesale distributor that directly purchased the product from the manufacturer and is the sole distributor of that manufacturer's product to a subsequent repackager, wholesale distributor or dispenser.

~~(bb)~~(ce) "FDA" means the U.S. United States department of health and human services, food and drug administration.

~~(cc)~~(ff) "Facsimile transmission" or "fax transmission" means the transmission of a digital image of a prescription from the prescriber or the prescriber's agent to the pharmacy. "Facsimile transmission" includes, but is not limited to, transmission of a written prescription between the prescriber's fax machine and the pharmacy's fax machine; transmission of an electronically prepared prescription from the prescriber's electronic prescription application to the pharmacy's fax machine, computer or printer; or transmission of an electronically prepared prescription from the prescriber's fax machine to the pharmacy's fax machine, computer or printer.

~~(dd)~~(gg) "Generic name" means the established chemical name or official name of a drug or drug product.

~~(ee)~~(hh) "Health care entity" means any person that provides diagnostic, medical, surgical or dental treatment or rehabilitative care but does not include any retail pharmacy or wholesale distributor.

~~(ff)~~(ii) (1) "Institutional drug room" means any location where prescription-only drugs are stored and from which prescription-only drugs are administered or dispensed and that is maintained or operated for the purpose of providing the drug needs of:

- (A) Inmates of a jail or correctional institution or facility;
  - (B) residents of a juvenile correctional facility or juvenile detention facility, as defined by the revised Kansas code for care of children and the revised Kansas juvenile justice code in K.S.A. 2020 Supp. 38-2302, and amendments thereto;
  - (C) students of a public or private university or college, a community college or any other institution of higher learning that is located in Kansas;
  - (D) employees of a business or other employer; or
  - (E) persons receiving inpatient hospice services.
- (2) "Institutional drug room" does not include:

- (A) Any registered pharmacy;
- (B) any office of a practitioner; or
- (C) a location where no prescription-only drugs are dispensed and no prescription-only drugs other than individual prescriptions are stored or administered.

~~(gg)~~(jj) "Interchangeable biological product" means a biological product that the FDA has:

~~(1)~~ Licensed and determined meets identified in the "purple book: lists of licensed biological products with reference product exclusivity and biosimilarity or interchangeability evaluations" as meeting the standards for "interchangeability" as defined in 42 U.S.C. § 262(k), as in effect on January 1, 2017; ~~or~~

~~(2)~~ determined to be therapeutically equivalent as set forth in the latest edition or supplement to the FDA's approved drug products with therapeutic equivalence evaluations.

~~(hh)~~ "Intermediary" means any technology system that receives and transmits an electronic prescription between the prescriber and the pharmacy.

~~(ii)~~(kk) "Intracompany transaction" means any transaction or transfer between any division, subsidiary, parent or affiliated or related company under common ownership or control of a corporate entity, or any transaction or transfer between co-licensed partners.

~~(jj)~~(ll) "Label" means a display of written, printed or graphic matter upon the immediate container of any drug.

~~(kk)~~(mm) "Labeling" means the process of preparing and affixing a label to any drug container, exclusive of the labeling by a manufacturer, packer or distributor of a non-prescription drug or commercially packaged legend drug.

~~(H)~~(nn) "Long-term care facility" means "nursing facility," as defined in K.S.A. 39-923, and amendments thereto.

~~(mm)~~(oo) "Medical care facility" means the same as defined in K.S.A. 65-425, and amendments thereto, except that the term also includes facilities licensed under the provisions of K.S.A. 2019 Supp. 39-2001 et seq., and amendments thereto, except community mental health centers and facilities for people with intellectual disability psychiatric hospitals and psychiatric residential treatment facilities as defined by K.S.A. 2020 Supp. 39-2002, and amendments thereto.

~~(nn)~~(pp) "Manufacture" means the production, preparation, propagation, compounding, conversion or processing of a drug either directly or indirectly by extraction from substances of natural origin, independently by means of chemical or biological synthesis or by a combination of extraction and chemical or biological synthesis or the packaging or repackaging of the drug or labeling or relabeling of its container, except that this term does not include the preparation or compounding of a drug by an individual for the individual's own use or the preparation, compounding, packaging or labeling of a drug by:

(1) A practitioner or a practitioner's authorized agent incident to such practitioner's administering or dispensing of a drug in the course of the practitioner's professional practice;

(2) a practitioner, by a practitioner's authorized agent or under a practitioner's supervision for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale; or

(3) a pharmacist or the pharmacist's authorized agent acting under the direct

supervision of the pharmacist for the purpose of, or incident to, the dispensing of a drug by the pharmacist.

~~(oo)~~(qq) "Manufacturer" means:

(1) A person that holds an application approved under section 505 of the federal food, drug and cosmetic act or a license issued under section 351 of the federal public health service act for such drug or, if such drug is not the subject of an approved application or license, the person who manufactured the drug;

(2) a co-licensed partner of the person described in paragraph (1) that obtains the drug directly from a person described in paragraph (1) or (3); or

(3) an affiliate of a person described in paragraph (1) or (2) that receives the product directly from a person described in paragraph (1) or (2).

~~(pp)~~(rr) "Medication order" means ~~an order by a prescriber for a registered patient of a Kansas licensed medical care facility a written or oral order by a prescriber or the prescriber's authorized agent for administration of a drug or device to a patient in a Kansas licensed medical care facility or in a Kansas licensed nursing facility or nursing facility for mental health, as such terms are defined by K.S.A. 39-923, and amendments thereto.~~

~~(qq)~~(ss) "Mid-level practitioner" means a certified nurse-midwife engaging in the independent practice of midwifery under the independent practice of midwifery act, an advanced practice registered nurse issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under K.S.A. 65-1130, and amendments thereto, or a physician assistant licensed pursuant to the physician assistant licensure act who has authority to prescribe drugs pursuant to a written agreement with a supervising physician under K.S.A. 65-28a08, and amendments thereto.

~~(rr)~~(tt) "Nonresident pharmacy" means a pharmacy located outside of Kansas.

~~(ss)~~(uu) "Outsourcing facility" ~~or "virtual outsourcing facility"~~ means a facility at one geographic location or address that is engaged in the compounding of sterile drugs and has registered with the FDA as an outsourcing facility pursuant to 21 U.S.C. § 353b.

~~(tt)~~(vv) "Person" means individual, corporation, government, governmental subdivision or agency, partnership, association or any other legal entity.

~~(uu)~~(ww) "Pharmacist" means any natural person licensed under this act to practice pharmacy.

~~(vv)~~(xx) "Pharmacist-in-charge" means the pharmacist who is responsible to the board for a registered establishment's compliance with the laws and regulations of this state pertaining to the practice of pharmacy, manufacturing of drugs and the distribution of drugs. The pharmacist-in-charge shall supervise such establishment on a full-time or a part-time basis and perform such other duties relating to supervision of a registered establishment as may be prescribed by the board by rules and regulations. Nothing in this definition shall relieve other pharmacists or persons from their responsibility to comply with state and federal laws and regulations.

~~(ww)~~(yy) "Pharmacist intern" or "intern" means: (1) A student currently enrolled in and in good standing with an accredited pharmacy program; (2) a graduate of an accredited pharmacy program serving an internship; or (3) a graduate of a pharmacy program located outside of the United States that is not accredited and who has successfully passed equivalency examinations approved by the board.

~~(xx)~~(zz) "Pharmacy," "drugstore" or "apothecary" means premises, laboratory, area or other place, including any electronic medium: (1) Where drugs are offered for sale where the profession of pharmacy is practiced and where prescriptions are compounded and dispensed; (2) that has displayed upon it or within it the words "pharmacist," "pharmaceutical chemist," "pharmacy," "apothecary," "drugstore," "druggist," "drugs," "drug sundries" or any of these words or combinations of these words or words of similar import ~~either in English or in any language or on~~ any sign containing any of these words as used in the context of health, medical or pharmaceutical care or services; or (3) where the characteristic symbols of pharmacy or the characteristic prescription sign "Rx" may be exhibited in the context of health, medical or pharmaceutical care or services. As used in this subsection, premises refers only to the portion of any building or structure leased, used or controlled by the licensee in the conduct of the business registered by the board at the address for which the registration was issued.

~~(yy)~~(aaa) "Pharmacy prescription application" means software that is used to process prescription information, ~~is and is either~~ installed on a pharmacy's computers or servers and is controlled by the pharmacy or is maintained on the servers of an entity that sells electronic pharmacy prescription applications as a hosted service where the entity controls access to the application and maintains the software and records on its server.

(zz)(bbb) "Pharmacy technician" means an individual who, under the direct supervision and control of a pharmacist, may perform packaging, manipulative, repetitive or other nondiscretionary tasks related to the processing of a prescription or medication order and who assists the pharmacist in the performance of pharmacy-related duties, but who does not perform duties restricted to a pharmacist.

~~(aa)~~(ccc) "Practitioner" means a person licensed to practice medicine and surgery, dentist, podiatrist, veterinarian, optometrist or scientific investigator or other person authorized by law to use a prescription-only drug in teaching or chemical analysis or to conduct research with respect to a prescription-only drug.

~~(bb)~~(ddd) "Preceptor" means a licensed pharmacist who possesses at least two years' experience as a pharmacist and who supervises ~~students obtaining the pharmaceutical experience required by law as a condition to taking the examination for licensure as a pharmacist and is responsible for the actions of pharmacist interns obtaining pharmaceutical experience~~.

~~(ee)~~(eee) "Prescriber" means a practitioner or a mid-level practitioner.

~~(dd)~~(fff) "Prescription" or "prescription order" means: ~~(1) An order to be filled by a pharmacist for prescription medication issued and signed by a prescriber in the authorized course of such prescriber's professional practice; or (2) an order transmitted to a pharmacist through word of mouth, note, telephone or other means of communication directed by such prescriber, regardless of whether the communication is oral, electronic, facsimile or in printed form the front and back of a lawful written, electronic or facsimile order from a prescriber or an oral order from a prescriber or the prescriber's authorized agent that communicates the prescriber's instructions for a prescription drug or device to be dispensed.~~

~~(ee)~~(ggg) "Prescription medication" means any drug, including label and container according to context, that is dispensed pursuant to a prescription order.

~~(ff)~~(hhh) "Prescription-only drug" means any drug whether intended for use by human or animal, required by federal or state law, including 21 U.S.C. § 353, to be

dispensed only pursuant to a written or oral prescription or order of a practitioner or is restricted to use by practitioners only.

~~(egg)~~(iii) "Probation" means the practice or operation under a temporary license, registration or permit or a conditional license, registration or permit of a business or profession for which a license, registration or permit is granted by the board under the provisions of the pharmacy act of the state of Kansas requiring certain actions to be accomplished or certain actions not to occur before a regular license, registration or permit is issued.

~~(hh)~~(jii) "Product" means the same as defined by part H of the federal drug supply chain security act, 21 U.S.C. § 351 et seq. and 21 U.S.C. § 360eee.

~~(iii)~~(III) "Professional incompetency" means:

(1) One or more instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree that constitutes gross negligence, as determined by the board;

(2) repeated instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree that constitutes ordinary negligence, as determined by the board; or

(3) a pattern of pharmacy practice or other behavior that demonstrates a manifest incapacity or incompetence to practice pharmacy.

~~(jii)~~(mmm) "Readily retrievable" or "readily available" means that records kept in hard copy or by automatic data processing applications or other electronic or mechanized record-keeping systems can be separated out from all other records quickly and easily during an inspection or investigation, or within a reasonable time not to exceed 48 hours of a written request from the board or other authorized agent ~~or that hard-copy records are kept on which certain items are asterisked, redlined or in some other manner visually identifiable apart from other items appearing on the records.~~

~~(HH)~~(nnn) "Repackage" means changing the container, wrapper, quantity or label of a drug to further the distribution of the drug.

~~(mmm)~~(ooo) "Repackager" means a person who owns or operates a facility that repackages.

~~(mm)~~(ppp) "Retail dealer" means a person selling at retail nonprescription drugs that are prepackaged, fully prepared by the manufacturer or distributor for use by the consumer and labeled in accordance with the requirements of the state and federal food, drug and cosmetic acts. Such nonprescription drugs shall not include: (1) A controlled substance; (2) a prescription-only drug; or (3) a drug intended for human use by hypodermic injection.

~~(ooo)~~ "Return" means ~~providing product to the authorized immediate trading partner from whom such product was purchased or received, or to a returns processor or reverse logistics provider for handling of such product.~~

~~(ppp)~~(qqq) ~~"Returns processor" or "reverse logistics provider"~~ Reverse distributor means a person who owns or operates an establishment that disposes of or otherwise processes saleable or nonsaleable products received from an authorized trading partner such that the product may be processed for credit to the purchaser, manufacturer or seller or disposed of for no further distribution.

~~(qqq)~~(rrr) "Secretary" means the executive secretary of the board.

~~(rrr)~~(sss) "Third-party logistics provider" means an entity that provides or coordinates warehousing or other logistic services of a product in interstate commerce

on behalf of a manufacturer, wholesale distributor or dispenser, but does not take ownership of the product or have responsibility to direct the sale or disposition of the product.

~~(sss)~~(ttt) "Trading partner" means:

(1) A manufacturer, repackager, wholesale distributor or dispenser from whom a manufacturer, repackager, wholesale distributor or dispenser accepts direct ownership of a product or to whom a manufacturer, repackager, wholesale distributor or dispenser transfers direct ownership of a product; or

(2) a third-party logistics provider from whom a manufacturer, repackager, wholesale distributor or dispenser accepts direct possession of a product or to whom a manufacturer, repackager, wholesale distributor or dispenser transfers direct possession of a product.

~~(ttt)~~(uuu) "Transaction" means the transfer of product between persons in which a change of ownership occurs.

~~(uuu)~~(vvv) "Unprofessional conduct" means:

(1) Fraud in securing a registration or permit;  
 (2) intentional adulteration or mislabeling of any drug, medicine, chemical or poison;

(3) causing any drug, medicine, chemical or poison to be adulterated or mislabeled, knowing the same to be adulterated or mislabeled;

(4) intentionally falsifying or altering records or prescriptions;

(5) unlawful possession of drugs and unlawful diversion of drugs to others;

(6) willful betrayal of confidential information under K.S.A. 65-1654, and amendments thereto;

(7) conduct likely to deceive, defraud or harm the public;

(8) making a false or misleading statement regarding the licensee's professional practice or the efficacy or value of a drug;

(9) commission of any act of sexual abuse, misconduct or exploitation related to the licensee's professional practice; or

(10) performing unnecessary tests, examinations or services that have no legitimate pharmaceutical purpose.

~~(vvv)~~(www) "Vaccination protocol" means a written protocol, agreed to and signed by a pharmacist and a person licensed to practice medicine and surgery by the state board of healing arts, that establishes procedures and recordkeeping and reporting requirements for administering a vaccine by the pharmacist for a period of time specified therein, not to exceed two years.

~~(www)~~(xxx) "Valid prescription order" means a prescription that is issued for a legitimate medical purpose by an individual prescriber licensed by law to administer and prescribe drugs and acting in the usual course of such prescriber's professional practice. A prescription issued solely on the basis of an internet-based questionnaire or consultation without an appropriate prescriber-patient relationship is not a valid prescription order.

~~(xxx)~~(yyy) "Veterinary medical teaching hospital pharmacy" means any location where prescription-only drugs are stored as part of an accredited college of veterinary medicine and from which prescription-only drugs are distributed for use in treatment of or administration to a nonhuman.

(zzz) "Virtual manufacturer" means an entity that engages in the manufacture of a

drug or device for which it:

(1) Owns the new drug application or abbreviated new drug application number, if a prescription drug;

(2) owns the unique device identification number, as available, for a prescription device;

(3) contracts with a contract manufacturing organization for the physical manufacture of the drug or device;

(4) is not involved in the physical manufacture of the drug or device; and

(5) does not store or take physical possession of the drug or device.

(aaaa) "Virtual wholesale distributor" means a wholesale distributor that sells, brokers or transfers a drug or device but never physically possesses the product.

(yyy)(bbbb) "Wholesale distributor" means any person engaged in wholesale distribution or reverse distribution of ~~prescription drugs or devices~~, other than a manufacturer, co-licensed partner, or third-party logistics provider ~~or repackager~~.

(zzz)(ccc) "Wholesale distribution" means the distribution or receipt of ~~prescription drugs or devices~~ to or by persons other than consumers or patients, in which a change of ownership occurs. "Wholesale distribution" does not include:

(1) The dispensing of a ~~prescription drug or device~~ pursuant to a prescription;

(2) the distribution of a ~~prescription drug or device~~ or an offer to distribute a ~~prescription drug or device~~ for emergency medical reasons, including a public health emergency declaration pursuant to section 319 of the public health service act, except that, for purposes of this paragraph, a drug or device shortage not caused by a public health emergency shall not constitute an emergency medical reason;

(3) intracompany distribution ~~of any drug between members of an affiliate or within a manufacturer;~~

(4) the distribution of a ~~prescription drug or device~~, or an offer to distribute a ~~prescription drug or device~~, among hospitals or other health care entities under common control;

(5) the distribution of a ~~prescription drug or device~~, or the offer to distribute a ~~prescription drug or device~~, by a charitable organization described in ~~503~~ section 501(c)(3) of the internal revenue code of ~~1954~~ 1986 to a nonprofit affiliate of the organization to the extent otherwise permitted by law;

(6) the purchase or other acquisition by a dispenser, hospital or other health care entity for use by such dispenser, hospital or other health care entity;

(7) the distribution of a drug by the manufacturer of such drug;

(8) the receipt or transfer of a drug by an authorized third-party logistics provider, provided that such third-party logistics provider does not take ownership of the drug;

(9) the transport of a drug by a common carrier, provided that the common carrier does not take ownership of the drug;

(10) the distribution of a drug or an offer to distribute a drug by an authorized repackager that has taken ownership or possession of the drug and repacks it in accordance with section 582(c) of the federal food, drug and cosmetic act;

(11) saleable drug returns when conducted by a dispenser;

(12) the distribution of minimal quantities of drugs by licensed retail pharmacies to licensed practitioners for office use;

(13) the distribution of a collection of finished medical devices, including a product or biological product in accordance with 21 U.S.C. § 353(e)(4)(M);

~~(14) the distribution of an intravenous drug that, by its formulation, is intended for the replenishment of fluids and electrolytes, including sodium, chloride and potassium, or calories, including dextrose and amino acids;~~

~~(15) the distribution of an intravenous drug used to maintain the equilibrium of water and minerals in the body, such as dialysis solutions; or~~

~~(16) the distribution of a drug that is intended for irrigation, or sterile water, whether intended for such purposes or for injection;~~

~~(17) the distribution of medical gas;~~

~~(18) facilitating the distribution of a product by providing solely administrative services, including processing of orders and payments;~~

~~(19) the transfer of a product by a hospital or other health care entity, or by a wholesale distributor or manufacturer operating under the direction of a hospital or other health care entity, to a repackager described in section 581(16)(B) and registered under section 510 of the food, drug and cosmetic act for the purpose of repackaging the drug for use by that hospital or other health care entity, or other health care entities under common control, if ownership of the drug remains with the hospital or other health care entity at all times; or~~

~~(20)(7) the sale or transfer from a retail pharmacy of expired, damaged, returned or recalled prescription drugs to the original manufacturer, originating wholesale distributor or to a third party returns processor reverse distributor registered in accordance with the board's rules and regulations.~~

Sec. 7. K.S.A. 65-1627 is hereby amended to read as follows: 65-1627. (a) The board may deny an application or renewal, limit, condition, revoke, suspend, or place in a probationary status ~~or deny an application or renewal of any~~ the license of any pharmacist upon a finding that:

(1) The licensee has obtained, renewed or reinstated, or attempted to obtain, renew or reinstate, a license by false or fraudulent means, including misrepresentation of a material fact;

(2) the licensee has been convicted of a misdemeanor involving moral turpitude or gross immorality or any felony and the licensee fails to show that the licensee has been sufficiently rehabilitated to warrant the public trust;

(3) the licensee is found by the board to be guilty of unprofessional conduct or professional incompetency;

(4) the licensee is addicted to the liquor or drug habit to such a degree as to render the licensee unfit to practice the profession of pharmacy;

(5) the licensee has violated a provision of the federal or state food, drug and cosmetic act, the federal or state uniform controlled substances act ~~of the state of Kansas~~, or any rule and regulation adopted under any such act;

(6) the licensee is found by the board to have filled a prescription not in strict accordance with the directions of the practitioner or a mid-level practitioner;

(7) the licensee is found to be mentally or physically incapacitated to such a degree as to render the licensee unfit to practice the profession of pharmacy;

(8) the licensee has violated any of the provisions of the pharmacy act of the state of Kansas or any rule and regulation adopted by the board pursuant to the provisions of such pharmacy act;

(9) the licensee has failed to comply with the continuing education requirements of the board for license renewal;

(10) the licensee as a ~~pharmacist in charge~~ "pharmacist-in-charge" or consultant pharmacist under the provisions of K.S.A. 65-1648(c) or (d), and amendments thereto, has failed to comply with the requirements of K.S.A. 65-1648(c) or (d), and amendments thereto;

(11) the licensee has knowingly submitted a misleading, deceptive, untrue or fraudulent misrepresentation on a claim form, bill or statement;

(12) the licensee has had a license to practice pharmacy revoked, suspended or limited, has been censured or has had other disciplinary action taken, or voluntarily surrendered the license after formal proceedings have been commenced, or has had an application for license denied, by the proper licensing authority of another state, territory, District of Columbia or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof;

(13) the licensee has self-administered any controlled substance without a practitioner's prescription order or a mid-level practitioner's prescription order;~~or~~

(14) the licensee has assisted suicide in violation of K.S.A. 21-3406, prior to its repeal, or K.S.A. 2019 Supp. 21-5407, and amendments thereto, as established by any of the following:

(A) A copy of the record of criminal conviction or plea of guilty for a felony in violation of K.S.A. 21-3406, prior to its repeal, or K.S.A. 2019 Supp. 21-5407, and amendments thereto;

(B) a copy of the record of a judgment of contempt of court for violating an injunction issued under K.S.A. 60-4404, and amendments thereto;~~or~~

(C) a copy of the record of a judgment assessing damages under K.S.A. 60-4405, and amendments thereto;

(15) the licensee has failed to furnish the board, its investigators or its representatives any information legally requested by the board;

(16) the licensee has violated or failed to comply with any lawful order or directive of the board;~~or~~

(17) the licensee has violated any of the provisions of the prescription monitoring program act of the state of Kansas or any rule and regulation of the board pursuant to the provisions of the prescription monitoring program act;~~or~~

(18) the licensee has failed to keep, has failed to file with the board or has falsified records required to be kept or filed by the provisions of the pharmacy act of the state of Kansas, the federal or state uniform controlled substances act or rules and regulations adopted by the board.

(b) In determining whether or not the licensee has violated subsection (a)(3), (a)(4), (a)(7) or (a)(13), the board upon reasonable suspicion of such violation has authority to compel a licensee to submit to mental or physical examination or drug screen, or any combination thereof, by such persons as the board may designate. To determine whether reasonable suspicion of such violation exists, the investigative information shall be presented to the board as a whole. Information submitted to the board as a whole and all reports, findings and other records shall be confidential and not subject to discovery by or release to any person or entity. The licensee shall submit to the board a release of information authorizing the board to obtain a report of such examination or drug screen, or both. A person affected by this subsection shall be offered, at reasonable intervals, an opportunity to demonstrate that such person can resume the competent practice of pharmacy with reasonable skill and safety to patients. For the purpose of this

subsection, every person licensed to practice pharmacy and who shall accept the privilege to practice pharmacy in this state by so practicing or by the making and filing of a renewal application to practice pharmacy in this state shall be deemed to have consented to submit to a mental or physical examination or a drug screen, or any combination thereof, when directed in writing by the board and further to have waived all objections to the admissibility of the testimony, drug screen or examination report of the person conducting such examination or drug screen, or both, at any proceeding or hearing before the board on the ground that such testimony or examination or drug screen report constitutes a privileged communication. In any proceeding by the board pursuant to the provisions of this subsection, the record of such board proceedings involving the mental and physical examination or drug screen, or any combination thereof, shall not be used in any other administrative or judicial proceeding.

(c) The board may temporarily suspend or temporarily limit the license of any licensee in accordance with the emergency adjudicative proceedings under the Kansas administrative procedure act if the board determines that there is cause to believe that grounds exist for disciplinary action under subsection (a) against the licensee and that the licensee's continuation in practice would constitute an imminent danger to the public health and safety.

(d) The board may suspend, revoke, place in a probationary status or deny ~~a~~ an application or renewal of any retail dealer's permit issued by the board when information in possession of the board discloses that such operations for which the permit was or may be issued are not being conducted according to law or the rules and regulations of the board. When the board determines that action under this subsection requires the immediate protection of the public interest, the board shall conduct an emergency proceeding in accordance with K.S.A. 77-536, and amendments thereto, under the Kansas administrative procedure act.

(e) The board may deny an application or renewal, limit, condition, revoke, suspend, or place in a probationary status ~~or deny a renewal of~~ the registration of ~~a~~ any pharmacy upon a finding that:

(1) Such pharmacy has been operated in such manner that violations of the provisions of the pharmacy act of the state of Kansas or of the rules and regulations of the board have occurred in connection therewith;

(2) the owner, pharmacy or any pharmacist employed at such pharmacy is convicted, subsequent to such owner's acquisition of or such employee's employment at such pharmacy, of a violation of the pharmacy act ~~or uniform controlled substances act~~ of the state of Kansas, the federal or state uniform controlled substances act or the federal or state food, drug and cosmetic act;

(3) the owner, pharmacy or any pharmacist employed by such pharmacy has fraudulently claimed money for pharmaceutical services; ~~or~~

(4) the registrant has had a registration revoked, suspended or limited, has been censured or has had other disciplinary action taken, or an application for registration denied, by the proper registering authority of another state, territory, District of Columbia or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof. When the board determines that action under this subsection requires the immediate protection of the public interest, the board shall conduct an emergency proceeding in accordance with K.S.A. 77-536, and amendments thereto, under the Kansas administrative procedure act;

(5) the registrant has obtained, renewed or attempted to obtain or renew a registration by false or fraudulent means, including misrepresentation of a material fact or falsification of any application;

(6) the registrant has refused to permit the board or its duly authorized agents to inspect the registrant's establishment in accordance with the provisions of the pharmacy act of the state of Kansas, federal or state uniform controlled substances act or the federal or state food, drug and cosmetic act;

(7) the registrant has failed to keep, has failed to file with the board or has falsified records required to be kept or filed by the provisions of the pharmacy act of the state of Kansas, the federal or state uniform controlled substances act or rules and regulations adopted by the board;

(8) such pharmacy has been operated in such manner that violations of the provisions of the federal or state food, drug and cosmetic act, the federal or state uniform controlled substances act, or any rule and regulation adopted under any such act have occurred in connection therewith;

(9) such pharmacy has been operated in such manner that the violations of the provisions of the prescription monitoring program act of the state of Kansas or any rule and regulation of the board have occurred in connection therewith;

(10) the registrant has failed to furnish the board, its investigators or its representatives any information legally requested by the board; or

(11) the registrant has violated or failed to comply with any lawful order or directive of the board.

(f) A registration to manufacture or repackage drugs or devices, to operate as a wholesale distributor, ~~to sell durable medical equipment or to operate as a third-party logistics provider, outsourcing facility, institutional drug room or automated dispensing system, or to sell durable medical equipment~~, or a registration for the place of business where any such operation is conducted, may be limited, conditioned, suspended, revoked, ~~or~~ placed in a probationary status or the application for or renewal of such registration may be denied by the board upon a finding that the registrant or the registrant's agent:

(1) Has materially falsified any application filed pursuant to or required by the pharmacy act of the state of Kansas obtained, renewed or attempted to obtain or renew a registration by false or fraudulent means, including misrepresentation of a material fact or falsification of any application;

(2) has been convicted of a felony under any federal or state law relating to the manufacture, compounding, dispensing or distribution of drugs or devices;

(3) has had any federal registration for the manufacture, compounding, dispensing or distribution of drugs or devices suspended, limited, denied, disciplined, censured or revoked;

(4) has refused to permit the board or its duly authorized agents to inspect the registrant's establishment in accordance with the provisions of K.S.A. 65-1629, and amendments thereto the pharmacy act of the state of Kansas, the federal or state uniform controlled substances act or the federal or state food, drug and cosmetic act;

(5) has failed to keep, has failed to file with the board or has falsified records required to be kept or filed by the provisions of the pharmacy act of the state of Kansas or by the board's rules and regulations; or, the federal or state uniform controlled substances act or rules and regulations adopted by the board;

(6) has violated the pharmacy act of the state of Kansas or rules and regulations adopted by the state board of pharmacy under the pharmacy act of the state of Kansas, has violated the uniform controlled substances act or rules and regulations adopted by the state board of pharmacy under the uniform controlled substances act, has violated the federal uniform controlled substances act, has violated the federal or state food, drug and cosmetic act or any rules and regulations adopted under any such act, or has violated a provision of the federal drug supply chain security act or any rule or regulation adopted under such act. When the board determines that action under this subsection requires the immediate protection of the public interest, the board shall conduct an emergency proceeding in accordance with K.S.A. 77-536, and amendments thereto, under the Kansas administrative procedure act;

(7) the registrant has had a registration revoked, suspended or limited, has been censured or has had other disciplinary action taken, or an application for registration denied, by the proper registering authority of another state, territory, District of Columbia or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof. When the board determines that action under this subsection requires the immediate protection of the public interest, the board shall conduct an emergency proceeding in accordance with K.S.A. 77-536, and amendments thereto, under the Kansas administrative procedure act;

(8) has failed to furnish the board, its investigators or its representatives any information legally requested by the board; or

(9) the registrant has violated or failed to comply with any lawful order or directive of the board.

(g) Orders under this section, and proceedings thereon, shall be subject to the provisions of the Kansas administrative procedure act.

Sec. 8. K.S.A. 65-1631 is hereby amended to read as follows: 65-1631. (a) It shall be unlawful for any ~~person~~ individual to practice as a pharmacist in this state unless such ~~person~~ individual is licensed by the board as a pharmacist. Except as otherwise provided in subsection (d), every applicant for licensure as a pharmacist shall be at least 18 years of age, shall be a graduate of a school or college of pharmacy or department of a university recognized and approved by the board, shall file proof satisfactory to the board, substantiated by proper affidavits, of a minimum of one year of pharmaceutical experience, acceptable to the board, under the supervision of a preceptor and shall pass an examination approved by the board. Pharmaceutical experience as required in this section shall be under the supervision of a preceptor and shall be predominantly related to the dispensing of prescription medication, compounding prescriptions, preparing pharmaceutical preparations and keeping records and making reports required under state and federal statutes. A school or college of pharmacy or department of a university recognized and approved by the board under this subsection ~~(a)~~ shall have a standard of education not below that of the university of Kansas school of pharmacy. The board shall adopt rules and regulations establishing the criteria ~~which~~ that a school or college of pharmacy or department of a university shall satisfy in meeting the standard of education established under this subsection ~~(a)~~.

(b) All applications for licensure by examination shall be made on a form to be prescribed and furnished by the board. Each application for a new license by examination shall be accompanied by a license fee fixed by the board as provided in K.S.A. 65-1645, and amendments thereto.

(c) The board is authorized to adopt rules and regulations relating to the ~~grades which score that~~ an applicant must receive in order to pass the ~~examination examinations required for licensure. The board shall only accept a passing score on an examination required for licensure from an applicant's first five attempts taking such examination.~~

(d) Notwithstanding the preceding provisions of this section, the board may in its discretion license as a pharmacist, without examination, any ~~person individual~~ who is duly registered or licensed by examination in some other state, except that the board may require that such ~~person individual~~ take the ~~law examination multi-state jurisprudence examination~~ approved by the board. ~~The board is authorized to adopt rules and regulations relating to the score that such individual shall be required to receive in order to pass the multi-state jurisprudence examination. The board shall only accept a passing score on an examination required for licensure from an applicant's first five attempts taking such examination.~~ Such ~~person individual~~ shall file proof satisfactory to the board of having the education and training required of applicants for licensure under the provisions of the pharmacy act of this state. ~~Persons Individuals~~ who are registered or licensed as pharmacists by examination in other states shall be required to satisfy only the requirements ~~which that~~ existed in this state at the time they become registered or licensed in such other states. The provisions of this subsection shall apply only if the state in which the ~~person individual~~ is registered or licensed grants, under like conditions, reciprocal registrations or licenses as pharmacists, without examination, to pharmacists duly licensed by examination in this state. Reciprocal licensure shall not be denied to any applicant otherwise qualified for reciprocal licensure under this section who has met the internship requirements of the state from which the applicant is reciprocating or who has at least one year of practice as a licensed pharmacist. A reciprocal licensure may be denied for any of the reasons set forth in ~~subsections (a)(1) through (a)(13) of K.S.A. 65-1627(a)(1) through (a)(13), and amendments thereto.~~

(e) In the event that an applicant for reciprocal licensure has not been subject to laws requiring continuing education as a condition for renewal of a registration or license, such applicant shall be required to satisfy the board through a competency examination that the applicant has the knowledge and ability to meet Kansas standards for licensure as a pharmacist.

(f) ~~No applicant who has taken the examination for licensure approved by the board and has failed to complete it successfully shall be considered for licensure by reciprocity within one year from the date such applicant sat for the examination.~~

~~(g)~~ All applicants for reciprocal licensure shall file their applications on a form to be prescribed and furnished by the board and such application shall be accompanied by a reciprocal licensure fee fixed by the board as provided in K.S.A. 65-1645, and amendments thereto. The reciprocal licensure fee established by this section immediately prior to the effective date of this act shall continue in effect until a different reciprocal licensure fee is fixed by the board by rules and regulations as provided in K.S.A. 65-1645, and amendments thereto.

~~(h)~~(g) The board shall take into consideration any felony conviction of such ~~person individual~~, but such conviction shall not automatically operate as a bar to licensure.

~~(i)~~(h) All applicants for licensure who graduate from a school or college of pharmacy outside the United States or who graduate from a school or college of

pharmacy not approved by the board shall submit information to the board, as specified by rules and regulations, and this information shall be accompanied by an evaluation fee fixed by the board as provided in K.S.A. 65-1645, and amendments thereto, ~~which evaluation fee that~~ shall be in addition to any other fee paid by the applicant under the pharmacy act of the state of Kansas. The evaluation fee fixed by the board under this section immediately prior to the effective date of this act shall continue in effect until a different evaluation fee is fixed by the board by rules and regulations as provided in K.S.A. 65-1645, and amendments thereto. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about such schools or colleges of pharmacy. In entering such contracts the authority to approve schools or colleges of pharmacy shall remain solely with the board.

~~(h)~~(i) All applicants for licensure who graduate from a school or college of pharmacy outside the United States or who are not citizens of the United States shall provide proof to the board that the applicant has a reasonable ability to communicate with the general public in English. The board may require such applicant to take the test of English as a foreign language and to attain the grade for passing such test as established by the board by rules and regulations.

~~(k)~~(j) Every registered pharmacist holding a valid registration as a pharmacist in effect on the day preceding the effective date of this act shall be deemed to be a licensed pharmacist under this act, and such ~~person~~ individual shall not be required to file an original application hereunder for a license.

Sec. 9. K.S.A. 65-1637 is hereby amended to read as follows: 65-1637. (a) The pharmacist shall exercise professional judgment regarding the accuracy, validity and authenticity of any prescription order consistent with federal and state laws and rules and regulations. Except as provided in K.S.A. 65-1635(e), and amendments thereto, and as may otherwise be provided by law, a pharmacist shall not dispense a prescription drug if the pharmacist, in the exercise of professional judgment, determines that the prescription is not a valid prescription order.

(b) The prescriber may authorize an agent to transmit to the pharmacy a prescription order orally, by facsimile transmission or by electronic transmission, provided that the first and last names of the transmitting agent are included in the order.

(c) (1) A new written or electronically prepared and transmitted prescription order shall be manually or electronically signed by the prescriber. If transmitted by the prescriber's agent, the first and last names of the transmitting agent shall be included in the order.

(2) If the prescription is for a controlled substance and is written or printed from an electronic prescription application, the prescription shall be manually signed by the prescriber prior to delivery of the prescription to the patient or prior to facsimile transmission of the prescription to the pharmacy.

(3) An electronically prepared prescription shall not be electronically transmitted to the pharmacy if the prescription has been printed prior to electronic transmission. An electronically prepared and transmitted prescription that is printed following electronic transmission shall be clearly labeled as a copy, not valid for dispensing.

(4) The board is hereby authorized to conduct pilot projects related to any new technology implementation when deemed necessary and practicable, except that no state moneys shall be expended for such purpose.

(d) An authorization to refill a prescription order or to renew or continue an

existing drug therapy may be transmitted to a pharmacist through oral communication, in writing, by facsimile transmission or by electronic transmission initiated by or directed by the prescriber.

(1) If the transmission is completed by the prescriber's agent, and the first and last names of the transmitting agent are included in the order, the prescriber's signature is not required on the fax or alternate electronic transmission.

(2) If the refill order or renewal order differs in any manner from the original order, such as a change of the drug strength, dosage form or directions for use, the prescriber shall sign the order as provided by subsection (c)(1).

(e) Regardless of the means of transmission to a pharmacy, ~~only~~ a pharmacist or a pharmacist intern shall be authorized to receive a new prescription order or a refill or renewal order from a prescriber or transmitting agent. ~~A pharmacist, a pharmacist intern or a registered pharmacy technician may receive a refill or renewal or order for continuation of therapy that contains no changes from the original prescription~~ from a prescriber or transmitting agent if such registered pharmacy technician's supervising pharmacist has authorized that function.

(f) A refill is one or more dispensings of a prescription drug or device that results in the patient's receipt of the quantity authorized by the prescriber for a single fill as indicated on the prescription order.

A prescription for a schedule III, IV or V controlled substance may authorize no more than five refills within six months following the date on which the prescription is issued.

(g) All prescriptions shall be filled or refilled in strict conformity with any directions of the prescriber, except that:

(1) A pharmacist who receives a prescription order for a brand name drug product, ~~excluding a biological product~~, may exercise brand exchange with a view toward achieving a lesser cost to the purchaser unless:

(A) ~~The prescriber, in the case of a prescription electronically signed by the prescriber, includes the statement indicates~~ "dispense as written" on the prescription or when communicating a prescription by oral order;

(B) ~~the prescriber, in the case of a written prescription signed by the prescriber, writes in the prescriber's own handwriting~~ "dispense as written" on the prescription;

(C) ~~the prescriber, in the case of a prescription other than one in writing signed by the prescriber, expressly indicates the prescription is to be dispensed as communicated~~ the FDA has determined that a biological product is not an interchangeable biological product for the prescribed biological product; or

~~(D)~~(C) ~~the federal food and drug administration~~ FDA has determined that a drug product of the same generic name is not bioequivalent to the prescribed brand name prescription medication;

(2) a pharmacist may provide up to a three-month supply of a prescription drug that is not a controlled substance or psychotherapeutic drug when a practitioner has written a drug order to be filled with a smaller supply but included sufficient numbers of refills for a three-month supply; or

(3) ~~a pharmacist who receives a prescription order for a biological product may exercise brand exchange with a view toward achieving a lesser cost to the purchaser unless:~~

(A) ~~The prescriber, in the case of a prescription signed by a prescriber and written~~

on a blank form containing two signature lines, signs the signature line following the statement "dispense as written";

~~(B) the prescriber, in the case of a prescription signed by the prescriber, writes in the prescriber's own handwriting "dispense as written" on the prescription;~~

~~(C) the prescriber, in the case of a prescription other than the one in writing signed by the prescriber, expressly indicates the prescription is to be dispensed as communicated; or~~

~~(D) the biological product is not an interchangeable biological product for the prescribed biological product except for a prescription for a controlled substance. a pharmacist may use professional judgment to make the following adaptations to a prescription order if a patient consents, the prescriber has not indicated "dispense as written" on the prescription, the pharmacist documents the adaptation on the patient's prescription record and the pharmacist notifies the prescriber:~~

~~(A) Change the prescribed quantity if:~~

~~(i) The prescribed quantity or package size is not commercially available;~~

~~(ii) the change in quantity is related to a change in dosage form; or~~

~~(iii) the change extends a maintenance drug for the limited quantity necessary to coordinate a patient's refills in a medication synchronization program;~~

~~(B) change the prescribed dosage form, strength or directions for use if it is in the best interest of the patient and the change achieves the intent of the prescriber; or~~

~~(C) complete missing information on the prescription order if there is evidence to support the change.~~

(h) A pharmacist who selects an interchangeable biological product shall inform the patient or the patient's representative that an interchangeable biological product has been substituted for the prescribed biological product.

(i) If a prescription order contains a statement that during any particular time the prescription may be refilled at will, there shall be no limitation as to the number of times that such prescription may be refilled, except that it may not be refilled after the expiration of the time specified or one year after the prescription was originally issued, whichever occurs first.

(j) Prescription orders shall be recorded in writing by the pharmacist and the record so made by the pharmacist shall constitute the original prescription to be dispensed by the pharmacist. This record, if telephoned by other than the prescriber, shall bear the full name of the ~~person~~ individual so telephoning. Nothing in this section shall be construed as altering or affecting in any way laws of this state or any federal act requiring a written prescription order.

(k) (1) Except as provided in paragraph (2), no prescription shall be refilled unless authorized by the prescriber either in the original prescription or by oral order that is reduced promptly to writing and filled by the pharmacist.

(2) A pharmacist may refill a prescription order issued on or after the effective date of this act for any prescription drug, except a drug listed on schedule II of the uniform controlled substances act or a narcotic drug listed on any schedule of the uniform controlled substances act, without the prescriber's authorization when all reasonable efforts to contact the prescriber have failed and when, in the pharmacist's professional judgment, continuation of the medication is necessary for the patient's health, safety and welfare. Such prescription refill shall only be in an amount judged by the pharmacist to be sufficient to maintain the patient until the prescriber can be contacted, but in no event

shall a refill under this paragraph be more than a ~~seven-day~~ 30-day supply or one package of the drug. However, if the prescriber states on a prescription that there shall be no emergency refilling of that prescription, then the pharmacist shall not dispense any emergency medication pursuant to that prescription. A pharmacist who refills a prescription order under this paragraph shall contact the prescriber of the prescription order on the next business day subsequent to the refill or as soon thereafter as possible. No pharmacist shall be required to refill any prescription order under this paragraph. A prescriber shall not be subject to liability for any damages resulting from the refilling of a prescription order by a pharmacist under this paragraph unless such damages are occasioned by the gross negligence or willful or wanton acts or omissions by the prescriber.

(l) If any prescription order contains a provision that the prescription may be refilled a specific number of times within or during any particular period, such prescription shall not be refilled except in strict conformity with such requirements.

(m) Any pharmacist who exercises brand exchange and dispenses a less expensive drug product shall not charge the purchaser more than the regular and customary retail price for the dispensed drug.

(n) Except as provided in K.S.A. 65-1635(e), and amendments thereto, and as may otherwise be provided by law, nothing contained in this section shall be construed as preventing a pharmacist from refusing to fill or refill any prescription if, in the pharmacist's professional judgment and discretion, such pharmacist is of the opinion that it should not be filled or refilled.

(o) Within five business days following the dispensing of a biological product, the dispensing pharmacist or the pharmacist's designee shall make an entry of the specific product provided to the patient, including the name of the product and the manufacturer. The communication shall be conveyed by making an entry that is electronically accessible to the prescriber through:

- (1) An ~~inter-operable~~ interoperable electronic medical records system;
- (2) an electronic prescribing technology;
- (3) a pharmacy benefits management system; or
- (4) a pharmacy record.

(p) Entry into an electronic records system as described in subsection (o) shall be presumed to provide notice to the prescriber. Otherwise, the pharmacist shall communicate the biological product dispensed to the prescriber using facsimile, telephone, electronic transmission or other prevailing means, provided that communication shall not be required where:

(1) There is no FDA-approved interchangeable biological product for the product prescribed; or

(2) a refill prescription is not changed from the product dispensed on the prior filling of the prescription.

(q) A pharmacist shall maintain a record of any biological product dispensed for at least five years.

(r) The board shall maintain a link on its website to the current lists of all biological products that the FDA has determined to be interchangeable biological products.

Sec. 10. K.S.A. 65-1643 is hereby amended to read as follows: 65-1643. It shall be unlawful:

- (a) For any person to operate, maintain, open or establish any pharmacy within this

state without first having obtained a registration from the board. Each application for registration of a pharmacy shall indicate the person or persons desiring the registration, including the ~~pharmacist in charge~~ pharmacist-in-charge, as well as the location, including the street name and number, and such other information as may be required by the board to establish the identity and exact location of the pharmacy. The issuance of a registration for any pharmacy shall also have the effect of permitting such pharmacy to operate as a retail dealer without requiring such pharmacy to obtain a retail dealer's permit. On evidence satisfactory to the board: (1) That the pharmacy for which the registration is sought will be conducted in full compliance with the law and the rules and regulations of the board; (2) that the location and appointments of the pharmacy are such that it can be operated and maintained without endangering the public health or safety; and (3) that the pharmacy will be under the supervision of a pharmacist, a registration shall be issued to such persons as the board shall deem qualified to conduct such a pharmacy.

(b) For any person to violate the federal drug supply chain security act, 21 U.S.C. § 351 et seq.

(c) For any person to distribute at wholesale any drugs or devices without first obtaining a registration as a wholesale distributor from the board.

(d) For any person to operate as a third-party logistics provider within this state without having first obtained a registration from the board.

(e) For any person to in any manner distribute or dispense samples of any drugs or devices without first having obtained a permit from the board so to do, and it shall be necessary to obtain permission from the board in every instance where the samples are to be distributed or dispensed. Nothing in this subsection shall be held to regulate or in any manner interfere with the furnishing of samples of drugs to duly licensed practitioners, to mid-level practitioners, to pharmacists or to medical care facilities.

(f) Except as otherwise provided in this subsection, for any person operating a store or place of business to sell, offer for sale or distribute any drugs to the public without first having obtained a registration or permit from the board authorizing such person so to do. No retail dealer who sells 12 or fewer different nonprescription drug products shall be required to obtain a retail dealer's permit under the pharmacy act of the state of Kansas or to pay a retail dealer new permit or permit renewal fee under such act. It shall be lawful for a retail dealer who is the holder of a valid retail dealer's permit issued by the board or for a retail dealer who sells 12 or fewer different nonprescription drug products to sell and distribute nonprescription drugs ~~which that~~ are prepackaged, fully prepared by the manufacturer or distributor for use by the consumer and labeled in accordance with the requirements of the state and federal food, drug and cosmetic acts. Such nonprescription drugs shall not include: (1) A controlled substance; (2) a prescription-only drug; or (3) a drug product intended for human use by hypodermic injection; but such a retail dealer shall not be authorized to display any of the words listed in K.S.A. 65-1626~~(hh)~~(zz), and amendments thereto, for the designation of a pharmacy or drugstore.

(g) For any person to ~~sell any drugs manufactured and sold only in the state of Kansas, unless the label and directions on such drugs shall first have been approved by the board~~ manufacture within this state any drugs or devices except under the personal and immediate supervision of a pharmacist or such other individual as may be approved by the board after an investigation and a determination by the board that such individual

is qualified by scientific or technical training or experience to perform such duties of supervision as may be necessary to protect the public health and safety, and no individual shall manufacture any drugs or devices without first obtaining a registration to do so from the board.

(h) For any person to operate an institutional drug room without first having obtained a registration to do so from the board. Such registration shall be subject to the provisions of K.S.A. 65-1637a, and amendments thereto, and any rules and regulations adopted pursuant thereto.

(i) For any person to operate a veterinary medical teaching hospital pharmacy without first having obtained a registration to do so from the board. Such registration shall be subject to the provisions of K.S.A. 65-1662, and amendments thereto, and any rules and regulations adopted pursuant thereto.

(j) For any person to sell or distribute in a pharmacy a controlled substance designated in K.S.A. 65-4113~~(e)~~(d) or ~~(f)~~(e), and amendments thereto, unless:

(1) (A) Such controlled substance is sold or distributed by a licensed pharmacist, or by a registered pharmacy technician or a pharmacy pharmacist intern or clerk supervised by a licensed pharmacist;

(B) any ~~person~~ individual purchasing, receiving or otherwise acquiring any such controlled substance produces a valid photo identification showing the date of birth of the ~~person~~ individual and signs a log and enters in the log, or allows the seller to enter in the log, such ~~person's~~ individual's address and the date and time of sale or allows the seller to enter such information into an electronic logging system pursuant to K.S.A. 65-16,102, and amendments thereto. The log or database required by the board shall be available for inspection during regular business hours to the board of pharmacy and any law enforcement officer;

(C) the seller determines that the name entered in the log corresponds to the name provided on such identification and that the date and time entered are correct; and

(D) the seller enters in the log the name of the controlled substance and the quantity sold; or

(2) there is a lawful prescription.

(k) For any pharmacy to allow customers to have direct access to any controlled substance designated in K.S.A. 65-4113~~(e)~~(d) or ~~(f)~~(e), and amendments thereto. Such controlled substance shall be placed behind the counter or stored in a locked cabinet that is located in an area of the pharmacy to which customers do not have direct access.

(l) A seller who in good faith releases information in a log pursuant to subsection (j) to any law enforcement officer is immune from civil liability for such release unless the release constitutes gross negligence or intentional, wanton or willful misconduct.

(m) For any person to sell or lease or offer for sale or lease durable medical equipment or to supply medical grade oxygen to an end user without first obtaining a registration from the board, in accordance with rules and regulations adopted by the board, except that this subsection shall not apply to:

(1) Sales not made in the regular course of the person's business; or

(2) sales by charitable organizations exempt from federal income taxation pursuant to the internal revenue code of 1986, ~~as amended.~~

(n) For any person to operate as an outsourcing facility within this state, or operate as an outsourcing facility outside of Kansas and ship, mail or deliver drugs into this state, without having first obtained a registration from the board.

(o) For any person to operate an automated dispensing system within this state without having first obtained a registration from the board.

(p) For any person to distribute drugs or devices into Kansas as an out-of-state manufacturer of such drugs or devices without first obtaining a registration as a manufacturer from the board.

Sec. 11. K.S.A. 65-1645 is hereby amended to read as follows: 65-1645. (a) Application for registrations or permits under K.S.A. 65-1643, and amendments thereto, shall be made on a form prescribed and furnished by the board. Applications for registration shall contain such information as may be required by the board in accordance with the provisions of K.S.A. 65-1655, ~~and amendments thereto, and K.S.A. 65-1655a and 65-1655b, and amendments thereto.~~ The application shall be accompanied by the fee prescribed by the board under the provisions of this section. When such application and fees are received by the secretary on or before the due date, such application shall have the effect of temporarily renewing the applicant's registration or permit until actual issuance or denial of the renewal. ~~However,~~ If, at the time of filing, a proceeding is pending before the board that may result in the suspension, probation, revocation or denial of the applicant's registration or permit, the board may declare, by emergency order, that such application for renewal shall not have the effect of temporarily renewing such applicant's registration or permit. Separate applications shall be made and separate registrations or permits issued for each separate place ~~at which~~ where there is carried on any of the operations for which a registration or permit is required by K.S.A. 65-1643, and amendments thereto.

(b) An application for a registration or permit under K.S.A. 65-1643, and amendments thereto, submitted for a facility physically located outside of the state of Kansas shall be accompanied by an additional non-resident fee prescribed by the board by rules and regulations pursuant to this section. Such fee shall not exceed \$350 for a new registration and \$250 for a renewal.

(c) The nonrefundable fees required for the issuing of the licenses, registrations or permits under the pharmacy act of the state of Kansas shall be fixed by the board as herein provided in this section, subject to the following:

- (1) Pharmacy, new registration not more than \$150, renewal not more than \$125;
- (2) pharmacist, new license by examination not more than \$350;
- (3) pharmacist, reinstatement application fee not more than \$250;
- (4) pharmacist, biennial renewal fee not more than \$200;
- (5) pharmacist, evaluation fee not more than \$250;
- (6) pharmacist, reciprocal licensure fee not more than \$250;
- (7) pharmacist, penalty fee, not more than \$500;
- (8) manufacturer, new registration not more than \$500, renewal not more than \$400;
- (9) wholesale distributor, new registration not more than \$500, renewal not more than \$400, except that a wholesale distributor dealing exclusively in nonprescription drugs, the manufacturing, distributing or dispensing of which does not require registration under the uniform controlled substances act, shall be assessed a fee for registration and re-registration not to exceed \$50;
- (10) special auction not more than \$50;
- (11) samples distribution not more than \$50, renewal not more than \$50;
- (12) institutional drug room, new registration not more than \$40, renewal not more

than \$35;

(13) retail dealer selling more than 12 different nonprescription drug products, new permit not more than \$12, renewal not more than \$12;

(14) certification of grades for each applicant for examination and registration not more than \$25;

(15) veterinary medical teaching hospital pharmacy, new registration not more than \$40, renewal not more than \$35;

(16) durable medical equipment registration fee, not more than \$300, renewal not more than \$300;

(17) third-party logistics provider, new registration not more than \$500, renewal not more than \$400, except that a third-party logistics provider exclusively providing nonprescription drugs, the manufacturing, distributing or dispensing of which does not require registration under the uniform controlled substances act, shall be assessed a fee for registration and re-registration not to exceed \$50;

(18) outsourcing facility, new registration not more than \$500, renewal not more than \$400;

(19) repackager, new registration not more than \$500, renewal not more than \$400; or

(20) automated dispensing system registration fee, not more than \$40, renewal not more than \$35.

~~(d)~~ For the purpose of fixing fees, the board may establish classes of retail dealers' permits for retail dealers selling more than 12 different nonprescription drug products, and the board may fix a different fee for each such class of permit.

~~(e)~~ The board shall determine annually the amount necessary to carry out and enforce the provisions of this act for the next ensuing fiscal year and shall fix by rules and regulations the fees authorized for such year at the sum deemed necessary for such purposes. The fees fixed by the board under this section immediately prior to the effective date of this act shall continue in effect until different fees are fixed by the board by rules and regulations as provided under this section.

~~(f)~~ The board may deny renewal of any registration or permit required by K.S.A. 65-1643, and amendments thereto, on any ground that would authorize the board to suspend, revoke or place on probation a registration or permit previously granted pursuant to the provisions of K.S.A. 65-1643, and amendments thereto. Registrations and permits issued under the provisions of K.S.A. 65-1643 and 65-1644, and amendments thereto, shall be conspicuously displayed in the place for which the registration or permit was granted. Such registrations or permits shall not be transferable. All such registrations and permits shall expire every year. The expiration date shall be established by rules and regulations adopted by the board. All registrations and permits shall be renewed annually. Notice of renewal of registrations and permits shall be sent by the board to each registrant or permittee at least 30 days prior to expiration of the registration or permit. If application for renewal is not made prior to expiration, the existing registration or permit shall lapse and become null and void on the date of its expiration, and no new registration or permit shall be granted except upon payment of the required renewal fee plus a penalty equal to the renewal fee. Failure of any registrant or permittee to receive such notice of renewal shall not relieve the registrant or permittee from the penalty hereby imposed if the renewal is not made as prescribed.

~~(f)~~(g) In each case in which a license of a pharmacist is issued or renewed for a period of time less than two years, the board shall prorate to the nearest whole month the license or renewal fee established pursuant to this section.

~~(g)~~(h) The board may require that fees paid for any examination under the pharmacy act of the state of Kansas be paid directly to the examination service by the person taking the examination.

Sec. 12. K.S.A. 65-1656 is hereby amended to read as follows: 65-1656. (a) Nothing contained in the pharmacy act of the state of Kansas shall prohibit a pharmacist licensed in this state from filling or refilling a valid prescription for prescription drugs not listed in schedule II of the uniform controlled substances act, ~~which that~~ is on file in a pharmacy licensed or registered in any state and has been transferred from one pharmacy to another ~~by any means, including by way of electronic data processing equipment~~, upon the following conditions and exceptions:

(1) Prior to dispensing pursuant to any such prescription, the dispensing pharmacist shall:

(A) ~~Advise the patient that the prescription file at such other pharmacy must be canceled before the dispensing pharmacist will be able to fill the prescription;~~

~~(B) determine that the prescription is valid and on file at such other pharmacy and that such prescription may be filled or refilled, as requested, in accordance with the prescriber's intent expressed on such prescription;~~

~~(C) notify the pharmacy where the prescription is on file that the prescription must be canceled;~~

~~(D) record the prescription order, the name of the pharmacy at which the prescription was on file, the prescription number, the name of the drug and the original amount dispensed, the date of original dispensing and the number of remaining authorized refills. Ensure records and notifications are in compliance with rules and regulations adopted by the board; and~~

~~(E)(B)~~ obtain the consent of the prescriber to the refilling of the prescription when the prescription, in the professional judgment of the dispensing pharmacist, so requires. Any interference with the professional judgment of the dispensing pharmacist by any other licensed pharmacist, agents of the licensed pharmacist or employees shall be grounds for revocation or suspension of the registration issued to the pharmacy.

(2) Upon receipt of a request for the transfer of a prescription information set forth in subsection (a)(1)(D) record, if the requested pharmacist is satisfied in the professional judgment of the pharmacist that such request is valid and legal, the requested ~~pharmacist pharmacy~~ shall:

(A) Provide such information accurately and completely;

~~(B) record on the prescription the name of the requesting pharmacy and pharmacist and the date of request. Ensure records and notifications are made in compliance with rules and regulations adopted by the board; and~~

~~(C) cancel the prescription on file. No further prescription transfer shall be given or medication dispensed pursuant to such original prescription. Provide information in a timely manner to avoid interruption in the medication therapy of the patient.~~

(3) ~~In the event that, after the information set forth in subsection (a)(1)(D) has been provided, a prescription is not dispensed by the requesting pharmacist, then such pharmacist shall provide notice of this fact to the pharmacy from which such information was obtained, such notice shall then cancel the prescription in the same~~

manner as set forth in subsection (a)(2)(C).

(4) When filling or refilling a valid prescription on file in another state, the dispensing pharmacist shall be required to follow all the requirements of Kansas law ~~which that~~ apply to the dispensing of prescription drugs. If anything in Kansas law prevents the filling or refilling of the original prescription it shall be unlawful to dispense pursuant to this section.

~~(5)(4)~~ In addition to any other requirement of this section, the transfer of original prescription information for a controlled substance listed in schedules III, IV and V for the purposes of refill dispensing shall be made in accordance with the requirements of ~~section 1306.25 of chapter 21 of the code of federal regulations~~ 21 C.F.R. § 1306.25.

(b) Two or more pharmacies may establish and use a common electronic file to maintain required dispensing information. Pharmacies using such a common electronic file are not required to physically transfer prescriptions or information for dispensing purposes between or among pharmacies participating in the same common prescription file, except that any such common file must contain complete and adequate records of such prescription and refill dispensed as required by the pharmacy act of the state of Kansas.

(c) The board may ~~formulate~~ adopt such rules and regulations, not inconsistent with law, as may be necessary to carry out the purposes of and to enforce the provisions of this section except that the board shall not impose greater requirements on either common electronic files or a hard copy record system.

~~(d) Drugs shall in no event be dispensed more frequently or in larger amounts than the prescriber ordered without direct prescriber authorization by way of a new prescription order. Nothing in this section shall prevent a pharmacy from forwarding to another pharmacy an original, unfilled prescription for a noncontrolled substance or electronically forwarding an original, unfilled, electronic prescription for a controlled substance, at the request of the patient, in compliance with the provisions of the federal or state uniform controlled substances act.~~

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

Sec. 13. K.S.A. 65-1657 is hereby amended to read as follows: 65-1657. (a) No nonresident pharmacy shall ship, mail or deliver, in any manner, prescription drugs or devices to a patient, patient's agent or prescriber's office in this state unless registered under this section as a nonresident pharmacy. Applications for a nonresident pharmacy registration under this section shall be made on a form furnished by the board. A nonresident pharmacy registration shall be granted for a period of one year upon compliance by the nonresident pharmacy with the provisions of this section and rules and regulations adopted pursuant to this section and upon payment of the registration fee established under K.S.A. 65-1645, and amendments thereto, for a pharmacy registration. A nonresident pharmacy registration shall be renewed annually on forms provided by the board, upon compliance by the nonresident pharmacy with the provisions of this section and rules and regulations adopted pursuant to this section and upon payment of the renewal fee established under K.S.A. 65-1645, and amendments thereto, for the renewal of a pharmacy registration.

(b) As conditions for the granting of a registration and for the renewal of a registration for a nonresident pharmacy, the nonresident pharmacy shall comply with the following:

(1) Provide information to the board to indicate the person or persons applying for the registration, the location of the pharmacy from which the prescription drugs will be dispensed, the names and titles of all principal owners and corporate officers, if any, and the names of all pharmacists dispensing prescription drugs to residents of Kansas;

(2) be registered and in good standing in the state in which such pharmacy is located;

(3) maintain, in readily retrievable form, records of prescription drugs dispensed to Kansas patients;

(4) supply upon request, all information needed by the board to carry out the board's responsibilities under this section and rules and regulations adopted pursuant to this section;

(5) maintain pharmacy hours that permit the timely dispensing of drugs to Kansas patients and provide reasonable access for the patients to consult with a licensed pharmacist about such patients' medications;

(6) provide toll-free telephone communication consultation between a Kansas patient and a pharmacist at the pharmacy who has access to the patient's records, and ensure that the telephone ~~number(s)~~ number will be placed upon the label affixed to each prescription drug container dispensed in Kansas; and

(7) provide to the board such other information as the board may reasonably request to administer the provisions of this section.

~~(c) When any nonresident pharmacy fails to supply requested information to the board or fails to respond to proper inquiry of the board, after receiving notice by certified mail, the board may assess a civil fine in accordance with the provisions in K.S.A. 65-1658, and amendments thereto.~~

~~(d)~~ Each nonresident pharmacy shall comply with the following unless compliance would be in conflict with specific laws or rules and regulations of the state in which the pharmacy is located:

(1) All statutory and regulatory requirements of Kansas for controlled substances, including those that are different from federal law;

(2) labeling of all prescriptions dispensed, to include, but not be limited to, identification of the product and quantity dispensed;

(3) all the statutory and regulatory requirements of Kansas for dispensing prescriptions in accordance with the quantities indicated by the prescriber; and

(4) the Kansas law regarding the maintenance and use of the patient medication profile record system.

~~(e)~~(d) In addition to ~~subsection (d)~~ the requirements of subsection (c), each nonresident pharmacy shall comply with all the statutory and regulatory requirements of Kansas regarding drug product selection laws whether or not such compliance would be in conflict with specific laws or rules and regulations of the state in which the pharmacy is located, except that compliance ~~which~~ that constitutes only a minor conflict with specific laws or rules and regulations of the state in which the pharmacy is located would not be required under this subsection.

~~(f)~~(e) Each nonresident pharmacy shall develop and provide the board with a policy and procedure manual that sets forth:

(1) Normal delivery protocols and times;

(2) the procedure to be followed if the patient's medication is not available at the nonresident pharmacy, or if delivery will be delayed beyond the normal delivery time;

(3) the procedure to be followed upon receipt of a prescription for an acute illness; ~~which. Such~~ policy shall include a procedure for delivery of the medication to the patient from the nonresident pharmacy at the earliest possible time, or an alternative that assures the patient the opportunity to obtain the medication at the earliest possible time; and

(4) the procedure to be followed when the nonresident pharmacy is advised that the patient's medication has not been received within the normal delivery time and that the patient is out of medication and requires interim dosage until mailed prescription drugs become available.

~~(g) Except in emergencies that constitute an immediate threat to the public health and require prompt action by the board, the board may file a complaint against any nonresident pharmacy that violates any provision of this section. This complaint shall be filed with the regulatory or licensing agency of the state in which the nonresident pharmacy is located. If the regulatory or licensing agency of the state in which the nonresident pharmacy is located fails to resolve the violation complained of within a reasonable time, not less than 180 days from the date that the complaint is filed, disciplinary proceedings may be initiated by the board. The board also may initiate disciplinary actions against a nonresident pharmacy if the regulatory or licensing agency of the state in which the nonresident pharmacy is located lacks or fails to exercise jurisdiction.~~

(f) The board may limit, condition, revoke, suspend or place in a probationary status a registration or deny an application for issuance or renewal of any registration on any ground that would authorize the board to take action against the registration of a pharmacy under K.S.A. 65-1627, and amendments thereto.

~~(h)(g)~~ The board shall adopt rules and regulations that make exceptions to the requirement of registration by a nonresident pharmacy when the out-of-state pharmacy supplies lawful refills to a patient from a prescription that was originally filled and delivered to a patient within the state in which the nonresident pharmacy is located, or when the prescriptions being mailed into the state of Kansas by a nonresident pharmacy occurs only in isolated transactions. In determining whether the prescriptions being mailed into the state of Kansas by a nonresident pharmacy are isolated transactions, the board shall consider whether the pharmacy has promoted its services in this state and whether the pharmacy has a contract with any employer or organization to provide pharmacy services to employees or other beneficiaries in this state.

~~(i)(h)~~ It is unlawful for any nonresident pharmacy ~~which that~~ is not registered under this act to advertise its services in this state, or for any person who is a resident of this state to advertise the pharmacy services of a nonresident pharmacy ~~which that~~ has not registered with the board, with the knowledge that the advertisement will or is likely to induce members of the public in this state to use the pharmacy to fill prescriptions.

~~(j)(i)~~ Upon request of the board, the attorney general may bring an action in a court of competent jurisdiction for injunctive relief to restrain a violation of the provisions of this section or any rules and regulations adopted by the board under authority of this section. The remedy provided under this subsection shall be in addition to any other remedy provided under this section or under the pharmacy act of the state of Kansas.

~~(k)(j)~~ The board may adopt rules and regulations as necessary and as are consistent with this section to carry out the provisions of this section.

~~(l) The executive secretary of the board shall remit all moneys received from fees~~

~~under this section 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 manner specified under K.S.A. 74-1609, and amendments thereto.~~

~~(m)~~(k) A violation of this section is a severity level 10, nonperson felony.

~~(n)~~(l) This section shall be a part of and supplemental to the pharmacy act of the state of Kansas.

Sec. 14. K.S.A. 65-1658 is hereby amended to read as follows: 65-1658. The state board of pharmacy, in addition to any other penalty prescribed under the pharmacy act of the state of Kansas, may assess a civil fine, after notice and an opportunity to be heard in accordance with the Kansas administrative procedure act, against any licensee or registrant under ~~subsections (a), (c), (d) and (e)~~ of K.S.A. 65-1627(a), (c), (d), (e) and (f), 65-1643, 65-1657, 65-1663 and 65-1676, and amendments thereto, for violation of the pharmacy act of the state of Kansas ~~or~~, rules and regulations of the state board of pharmacy adopted under the pharmacy act of the state of Kansas or for violation of the federal or state uniform controlled substances act or rules and regulations of the state board of pharmacy adopted under the federal or state uniform controlled substances act, or for violation of the federal or state food, drug and cosmetic act or any rules and regulations adopted under any such act in an amount not to exceed \$5,000 for each violation. All fines assessed and collected under this section shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. ~~Of the amount so remitted, an amount equal to the board's actual costs related to the case in which the fine was assessed, as certified by the president of the board to the state treasurer, shall be, credited to the state board of pharmacy fee fund, and the balance shall be credited to the state general fund.~~

Sec. 15. K.S.A. 2020 Supp. 65-6112 is hereby amended to read as follows: 65-6112. As used in ~~this act~~ article 61 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto:

(a) "Administrator" means the executive director of the emergency medical services board.

(b) "Advanced emergency medical technician" means a person who holds an advanced emergency medical technician certificate issued pursuant to this act.

(c) "Advanced practice registered nurse" means an advanced practice registered nurse as defined in K.S.A. 65-1113, and amendments thereto.

(d) "Ambulance" means any privately or publicly owned motor vehicle, airplane or helicopter designed, constructed, prepared, staffed and equipped for use in transporting and providing emergency care for individuals who are ill or injured.

(e) "Ambulance service" means any organization operated for the purpose of transporting sick or injured persons to or from a place where medical care is furnished, whether or not such persons may be in need of emergency or medical care in transit.

(f) "Board" means the emergency medical services board established pursuant to K.S.A. 65-6102, and amendments thereto.

(g) "Emergency medical service" means the effective and coordinated delivery of such care as may be required by an emergency that includes the care and transportation of individuals by ambulance services and the performance of authorized emergency care by a physician, advanced practice registered nurse, professional nurse, a licensed physician assistant or emergency medical service provider.

(h) "Emergency medical service provider" means an emergency medical responder, advanced emergency medical technician, emergency medical technician or paramedic certified by the emergency medical services board.

(i) "Emergency medical technician" means a person who holds an emergency medical technician certificate issued pursuant to this act.

(j) "Emergency medical responder" means a person who holds an emergency medical responder certificate issued pursuant to this act.

(k) "Hospital" means a hospital as defined by K.S.A. 65-425, and amendments thereto.

(l) "Instructor-coordinator" means a person who is certified under this act to teach or coordinate both initial certification and continuing education classes.

(m) "Medical director" means a physician.

(n) "Medical oversight" means to review, approve and implement medical protocols and to approve and monitor the activities, competency and education of emergency medical service providers.

~~(o) "Medical protocols" mean means written guidelines that authorize emergency medical service providers to perform certain medical procedures prior to contacting a physician, physician assistant authorized by a physician, advanced practice registered nurse authorized by a physician or professional nurse authorized by a physician. The medical protocols shall be approved by a county medical society or the medical staff of a hospital to which the ambulance service primarily transports patients, or if neither of the above are able or available to approve the medical protocols, then the medical protocols shall be submitted to the medical advisory council for approval.~~

~~(p)~~(p) "Municipality" means any city, county, township, fire district or ambulance service district.

~~(q)~~(q) "Nonemergency transportation" means the care and transport of a sick or injured person under a foreseen combination of circumstances calling for continuing care of such person. As used in this subsection, transportation includes performance of the authorized level of services of the emergency medical service provider whether within or outside the vehicle as part of such transportation services.

~~(r)~~(r) "Operator" means a person or municipality who has a permit to operate an ambulance service in the state of Kansas.

~~(s)~~(s) "Paramedic" means a person who holds a paramedic certificate issued pursuant to this act.

~~(t)~~(t) "Person" means an individual, a partnership, an association, a joint-stock company or a corporation.

~~(u)~~(u) "Physician" means a person licensed by the state board of healing arts to practice medicine and surgery.

~~(v)~~(v) "Physician assistant" means a physician assistant as defined in K.S.A. 65-28a02, and amendments thereto.

~~(w)~~(w) "Professional nurse" means a licensed professional nurse as defined by K.S.A. 65-1113, and amendments thereto.

~~(x)~~(x) "Sponsoring organization" means any professional association, accredited postsecondary educational institution, ambulance service that holds a permit to operate in this state, fire department, other officially organized public safety agency, hospital, corporation, governmental entity or emergency medical services regional council, as approved by the executive director, to offer initial courses of instruction or continuing

education programs.

Sec. 16. K.S.A. 2020 Supp. 65-6124 is hereby amended to read as follows: 65-6124. (a) No physician, physician assistant, advanced practice registered nurse or licensed professional nurse; who gives emergency instructions to an emergency medical service provider—~~as defined by K.S.A. 65-6112, and amendments thereto;~~ during an emergency; shall be liable for any civil damages as a result of issuing the instructions, except such damages that may result from gross negligence in giving such instructions.

(b) No emergency medical service provider—~~as defined by K.S.A. 65-6112, and amendments thereto;~~ who renders emergency care during an emergency pursuant to instructions given by a physician, ~~the supervising physician for a~~ physician assistant, advanced practice registered nurse or licensed professional nurse shall be liable for civil damages as a result of implementing such instructions, except such damages that may result from gross negligence or by willful or wanton acts or omissions on the part of such emergency medical service provider—~~as defined by K.S.A. 65-6112, and amendments thereto.~~

(c) No person certified as an instructor-coordinator shall be liable for any civil damages that may result from such instructor-coordinator's course of instruction, except such damages that may result from gross negligence or by willful or wanton acts or omissions on the part of the instructor-coordinator.

(d) No medical director who ~~reviews, approves and monitors the activities of emergency medical service providers~~ provides medical oversight shall be liable for any civil damages as a result of such ~~review, approval or monitoring~~ medical oversight, except such damages that may result from gross negligence in the provision of such review, approval or monitoring medical oversight.

Sec. 17. K.S.A. 2020 Supp. 65-6126 is hereby amended to read as follows: 65-6126. (a) Except as provided in subsection (b), each emergency medical service operator shall have designate a medical director appointed by the operator of the service to review and implement medical protocols, approve and monitor the activities, competency and education of the emergency medical service providers to provide medical oversight.

(b) The board may approve an alternative procedure for medical oversight by a physician if no medical director is available to be designated by the operator.;

Also on page 35, in line 11, by striking all after "K.S.A."; by striking all in line 12; in line 13, by striking all before the second "and" and inserting "65-636, 65-1627, 65-1631, 65-1637, 65-1643, 65-1645, 65-1656, 65-1657 and 65-1658"; in line 14, by striking all before "are" and inserting "65-1626, 65-6112, 65-6124 and 65-6126"; in line 16, 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 "to"; by striking all in lines 2 through 9; in line 10, by striking "discipline" and inserting "health professions; requiring medical oversight of emergency medical services operators by medical directors or physicians; prescribing powers, duties and functions of the state board of pharmacy; providing for confidentiality of investigations, inspections and audits; requirements for the exhibition of titles and prescription orders; establishing fees on out-of-state facilities; defining telepharmacy and requiring rules and regulations to be adopted for oversight and administration thereof"; also in line 10, by striking all after "K.S.A."; by striking all in lines 11 and 12 and inserting "65-636, 65-1627, 65-1631,

65-1637, 65-1643, 65-1645, 65-1656, 65-1657 and 65-1658 and"; in line 13, by striking "65-6306 and 65-6411" and inserting "65-1626, 65-6112, 65-6124 and 65-6126";

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

BRENDA LANDWEHR

JOHN EPLEE

BRETT PARKER

*Conferees on part of House*

RICHARD HILDERBRAND

BEVERLY GOSSAGE

PAT PETTEY

*Conferees on part of Senate*

On motion of Rep. Landwehr, the conference committee report on **SB 238** was adopted.

On roll call, the vote was: Yeas 116; Nays 7; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burris, Fairchild, Garber, Houser, Jacobs, Lee-Hahn, Poetter.

Present but not voting: None.

Absent or not voting: Howard, Victors.

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2218** submits the following report:

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

On page 4, in line 25, by striking all after the stricken material; in line 26, by striking all before the period and inserting "designated by the governor";

On page 5, in line 7, by striking "expected" and inserting "the average"; also in line 7, by striking "next plan year" and inserting "immediately preceding three plan years";

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

CAROLYN MCGINN

DAN KERSHEN

TOM HAWK

*Conferees on part of Senate*

STEVE JOHNSON

CHRIS CROFT

CINDY NEIGHBOR

*Conferees on part of House*

On motion of Rep. S. Johnson, the conference committee report on **HB 2218** was adopted.

On roll call, the vote was: Yeas 123; Nays 0; Present but not voting: 0; Absent or not voting: 2.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Howard, Victors.

**CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2007** submits the following report:

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

On page 1, by striking all in lines 11 through 36;

By striking all on pages 2 through 6;

On page 7, by striking all in lines 1 through 9; following line 9 by inserting:

"Section 1. (a) For the fiscal years ending June 30, 2021, June 30, 2022, June 30, 2023, and June 30, 2024, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, capital improvement projects, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

(c) This act shall not be subject to the provisions of K.S.A. 75-6702(a), and amendments thereto.

(d) The appropriations made by this act shall not be subject to the provisions of K.S.A. 46-155, and amendments thereto.

Sec. 2.

ABSTRACTERS' BOARD OF EXAMINERS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Abstracters' fee fund (016-00-2700-0100)	
For the fiscal year ending June 30, 2022.....	\$25,716
For the fiscal year ending June 30, 2023.....	\$25,717

Sec. 3.

BOARD OF ACCOUNTANCY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Board of accountancy fee fund (028-00-2701-0100)	
For the fiscal year ending June 30, 2022.....	\$440,976

*Provided*, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$1,200.

For the fiscal year ending June 30, 2023.....	\$443,348
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*Provided*, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$1,200.

Special litigation reserve fund (028-00-2715-2700)	
For the fiscal year ending June 30, 2022.....	No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2022, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2023.....	No limit
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*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2023, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal year ending June 30, 2022, the executive director of the board of accountancy, with the approval of the director of the budget, may transfer moneys from the board of accountancy fee fund (028-00-2701-0100) to the special litigation reserve fund (028-00-2715-2700) of the board of accountancy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2022, shall not exceed \$15,000: *Provided further*; That the executive director of the board of accountancy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2023, the executive director of the board of accountancy, with the approval of the director of the budget, may transfer moneys from the board of accountancy fee fund (028-00-2701-0100) to the special litigation reserve fund (028-00-2715-2700) of the board of accountancy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2023, shall not exceed \$15,000: *Provided further*; That the executive director of the board of accountancy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 4.

#### STATE BANK COMMISSIONER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 3(a) of chapter 5 of the 2020 Session Laws of Kansas on the bank commissioner fee fund (094-00-2811) of the state bank commissioner is hereby decreased from \$11,762,186 to \$10,966,248.

(b) During the fiscal year ending June 30, 2021, notwithstanding the provisions of K.S.A. 74-3005 or 75-3223, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2021 as authorized by chapter 68 of the 2019 Session Laws of Kansas, chapter 5 of the 2020 Session Laws of Kansas, this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to provide per diem compensation of \$100 for members of the state banking board attending meetings of such board, or attending a subcommittee meeting thereof authorized by such board, in fiscal year 2021.

Sec. 5.

STATE BANK COMMISSIONER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Bank commissioner fee fund (094-00-2811)

For the fiscal year ending June 30, 2022.....\$11,304,273

*Provided*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2022, for official hospitality for the division of consumer and mortgage lending shall not exceed \$1,000: *Provided further*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2022, for official hospitality for the division of banking shall not exceed \$1,000.

For the fiscal year ending June 30, 2023.....\$11,649,189

*Provided*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2023, for official hospitality for the division of consumer and mortgage lending shall not exceed \$1,000: *Provided further*, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2023, for official hospitality for the division of banking shall not exceed \$1,000.

Bank examination and investigation fund (094-00-2013-1010)

For the fiscal year ending June 30, 2022.....No limit

For the fiscal year ending June 30, 2023.....No limit

Consumer education settlement fund (094-00-2560-2500)

For the fiscal year ending June 30, 2022.....No limit

*Provided*, That expenditures may be made from the consumer education settlement fund for the fiscal year ending June 30, 2022, for consumer education purposes, which may be in accordance with contracts for such activities, which are hereby authorized to be entered into by the state bank commissioner or the deputy commissioner of the consumer and mortgage lending division, as the case may require, and the entities conducting such activities.

For the fiscal year ending June 30, 2023.....No limit

*Provided*, That expenditures may be made from the consumer education settlement fund for the fiscal year ending June 30, 2023, for consumer education purposes, which may be in accordance with contracts for such activities, which are hereby authorized to be entered into by the state bank commissioner or the deputy commissioner of the consumer and mortgage lending division, as the case may require, and the entities conducting such activities.

Litigation expense fund (094-00-2499-2499)

For the fiscal year ending June 30, 2022.....No limit

*Provided*, That the above agency is authorized to make expenditures from the litigation expense fund for the fiscal year ending June 30, 2022, for costs, fees, and

expenses associated with administrative or judicial proceedings regarding the enforcement of laws administered by the consumer and mortgage lending division and the enforcement and collection of assessed fines, fees and consumer refunds: *Provided further*; That, during the fiscal year ending June 30, 2022, a portion of the moneys collected as a result of fines and investigative fees collected by the consumer and mortgage lending division, as determined by the deputy of the consumer and mortgage lending division, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the litigation expense fund.

For the fiscal year ending June 30, 2023.....No limit

*Provided*, That the above agency is authorized to make expenditures from the litigation expense fund for the fiscal year ending June 30, 2023, for costs, fees, and expenses associated with administrative or judicial proceedings regarding the enforcement of laws administered by the consumer and mortgage lending division and the enforcement and collection of assessed fines, fees and consumer refunds: *Provided further*; That, during the fiscal year ending June 30, 2023, a portion of the moneys collected as a result of fines and investigative fees collected by the consumer and mortgage lending division, as determined by the deputy of the consumer and mortgage lending division, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the litigation expense fund.

(b) During the fiscal years ending June 30, 2022, and June 30, 2023, notwithstanding the provisions of K.S.A. 9-2209, 9-2218, 16a-2-302 and 16a-6-104, and amendments thereto, or any other statute, all moneys received under the Kansas mortgage business act or the uniform consumer credit code for fines or settlement moneys designated for consumer education shall be deposited in the state treasury to the credit of the consumer education settlement fund (094-00-2560-2500).

Sec. 6.

KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 5(a) of chapter 5 of the 2020 Session Laws of Kansas on the board of barbering fee fund (100-00-2704-0100) of the Kansas board of barbering is hereby increased from \$141,042 to \$156,873.

Sec. 7.

KANSAS BOARD OF BARBERING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Board of barbering fee fund (100-00-2704-0100)

For the fiscal year ending June 30, 2022.....\$158,683

*Provided*, That expenditures from the board of barbering fee fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2023.....\$159,162

*Provided*, That expenditures from the board of barbering fee fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$500.

Sec. 8.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Behavioral sciences regulatory board fee fund (102-00-2730-0100)

For the fiscal year ending June 30, 2022.....\$959,145

*Provided*, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$1,000: *Provided further*, That all expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2022, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the behavioral sciences regulatory board fee fund for fiscal year 2022.

For the fiscal year ending June 30, 2023.....\$968,062

*Provided*, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$1,000: *Provided further*, That all expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2023, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the behavioral sciences regulatory board fee fund for fiscal year 2023.

Coronavirus relief fund (102-00-3753)

For the fiscal year ending June 30, 2022.....No limit

For the fiscal year ending June 30, 2023.....No limit

Sec. 9.

STATE BOARD OF HEALING ARTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Healing arts fee fund (105-00-2705-0100)

For the fiscal year ending June 30, 2022.....\$6,478,748

*Provided*, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$1,000: *Provided further*, That all

expenditures from the healing arts fee fund for the fiscal year ending June 30, 2022, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2022.

For the fiscal year ending June 30, 2023.....\$6,852,656

*Provided*, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$1,000: *Provided further*, That all expenditures from the healing arts fee fund for the fiscal year ending June 30, 2023, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2023.

Medical records maintenance trust fund (105-00-7206-7200)

For the fiscal year ending June 30, 2022.....\$35,000

For the fiscal year ending June 30, 2023.....\$35,000

Sec. 10.

KANSAS STATE BOARD OF COSMETOLOGY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 8(a) of chapter 5 of the 2020 Session Laws of Kansas on the cosmetology fee fund (149-00-2706-0100) of the Kansas state board of cosmetology is hereby decreased from \$1,164,966 to \$1,151,641.

Sec. 11.

KANSAS STATE BOARD OF COSMETOLOGY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Cosmetology fee fund (149-00-2706-0100)

For the fiscal year ending June 30, 2022.....\$1,162,205

*Provided*, That expenditures from the cosmetology fee fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$2,000.

For the fiscal year ending June 30, 2023.....\$1,169,064

*Provided*, That expenditures from the cosmetology fee fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$2,000.

Sec. 12.

STATE DEPARTMENT OF CREDIT UNIONS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 10(a) of chapter 5 of the 2020 Session Laws of Kansas on the credit union fee fund (159-00-2026-0100) of the state department of credit unions is hereby decreased from \$1,284,202 to \$1,265,581.

Sec. 13.

STATE DEPARTMENT OF CREDIT UNIONS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Credit union fee fund (159-00-2026-0100)

For the fiscal year ending June 30, 2022.....\$1,274,367

*Provided*, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$300.

For the fiscal year ending June 30, 2023.....\$1,274,454

*Provided*, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$300.

Sec. 14.

KANSAS DENTAL BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dental board fee fund (167-00-2708-0100)

For the fiscal year ending June 30, 2022.....\$418,500

*Provided*, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$750.

For the fiscal year ending June 30, 2023..... \$417,000

*Provided*, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$750.

Special litigation reserve fund (167-00-2749-2000)

For the fiscal year ending June 30, 2022.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2022, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2023.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2023, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

Sec. 15.

STATE BOARD OF MORTUARY ARTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mortuary arts fee fund (204-00-2709-0100)  
For the fiscal year ending June 30, 2022.....\$304,038

*Provided*, That expenditures from the mortuary arts fee fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2023.....\$308,394

*Provided*, That expenditures from the mortuary arts fee fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$500.

Sec. 16.

KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING INSTRUMENTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 22(a) of chapter 68 of the 2019 Session Laws of Kansas on the hearing instrument board fee fund (266-00-2712-9900) of the Kansas board of examiners in fitting and dispensing of hearing instruments is hereby increased from \$26,907 to \$41,907.

Sec. 17.

KANSAS BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING INSTRUMENTS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than

refunds authorized by law shall not exceed the following:

Hearing instrument board fee fund (266-00-2712-9900)	
For the fiscal year ending June 30, 2022.....	\$32,188
For the fiscal year ending June 30, 2023.....	\$32,370
Hearing instrument litigation fund (266-00-2136-2136)	
For the fiscal year ending June 30, 2022.....	No limit

*Provided*, That no expenditures shall be made from the hearing instrument litigation fund for the fiscal year ending June 30, 2022, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2023.....	No limit
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*Provided*, That no expenditures shall be made from the hearing instrument litigation fund for the fiscal year ending June 30, 2023, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

Sec. 18.

BOARD OF NURSING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Board of nursing fee fund (482-00-2716-0200)	
For the fiscal year ending June 30, 2022.....	\$3,037,107

*Provided*, That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2023.....	\$2,882,559
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*Provided*, That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$500.

Gifts and grants fund (482-00-7346-4000)

For the fiscal year ending June 30, 2022.....	No limit
For the fiscal year ending June 30, 2023.....	No limit
Education conference fund (482-00-2209-0100)	
For the fiscal year ending June 30, 2022.....	No limit
For the fiscal year ending June 30, 2023.....	No limit
Criminal background and fingerprinting fund (482-00-2745-2700)	
For the fiscal year ending June 30, 2022.....	No limit
For the fiscal year ending June 30, 2023.....	No limit

Sec. 19.

BOARD OF EXAMINERS IN OPTOMETRY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Optometry fee fund (488-00-2717-0100)	
For the fiscal year ending June 30, 2022.....	\$169,599
<i>Provided</i> , That expenditures from the optometry fee fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$600.	
For the fiscal year ending June 30, 2023.....	\$172,118

*Provided*, That expenditures from the optometry fee fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$600.

Optometry litigation fund (488-00-2547-2547)	
For the fiscal year ending June 30, 2022.....	No limit

*Provided*, That no expenditures shall be made from the optometry litigation fund for the fiscal year ending June 30, 2022, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2023.....	No limit
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*Provided*, That no expenditures shall be made from the optometry litigation fund for the fiscal year ending June 30, 2023, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative

policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

Criminal history fingerprinting fund (488-00-2565-2565)  
 For the fiscal year ending June 30, 2022.....No limit  
 For the fiscal year ending June 30, 2023.....No limit

Coronavirus relief fund (488-00-3753)  
 For the fiscal year ending June 30, 2022.....No limit  
 For the fiscal year ending June 30, 2023.....No limit

Sec. 20.

STATE BOARD OF PHARMACY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 14(a) of chapter 5 of the 2020 Session Laws of Kansas on the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy is hereby decreased from \$2,472,475 to \$2,052,375.

Sec. 21.

STATE BOARD OF PHARMACY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State board of pharmacy fee fund (531-00-2718-0100)  
 For the fiscal year ending June 30, 2022.....\$2,565,656

*Provided*, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$2,000.

For the fiscal year ending June 30, 2023.....\$3,335,613

*Provided*, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$2,000.

State board of pharmacy litigation fund (531-00-2733-2700)  
 For the fiscal year ending June 30, 2022.....No limit

*Provided*, That no expenditures shall be made from the state board of pharmacy litigation fund for the fiscal year ending June 30, 2022, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and

functions of the above agency.

For the fiscal year ending June 30, 2023.....No limit

*Provided*, That no expenditures shall be made from the state board of pharmacy litigation fund for the fiscal year ending June 30, 2023, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

Non-federal gifts and grants fund (531-00-7018-7000)

For the fiscal year ending June 30, 2022.....No limit

*Provided*, That the state board of pharmacy is hereby authorized to apply for and to accept grants and may accept donations, bequests or gifts during fiscal year 2022: *Provided, however*; That the board shall remit all moneys received under this proviso to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided further*; That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund: *And provided further*; That all expenditures from the non-federal gifts and grants fund for fiscal year 2022 shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the state board of pharmacy or a person designated by the president.

For the fiscal year ending June 30, 2023.....No limit

*Provided*, That the state board of pharmacy is hereby authorized to apply for and to accept grants and may accept donations, bequests or gifts during fiscal year 2023: *Provided, however*; That the board shall remit all moneys received under this proviso to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided further*; That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the non-federal gifts and grants fund: *And provided further*; That all expenditures from the non-federal gifts and grants fund for fiscal year 2023 shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the state board of pharmacy or a person designated by the president.

Prescription drug overdose data-driven prevention initiative – federal fund (531-00-3294-3294)

For the fiscal year ending June 30, 2022.....No limit

For the fiscal year ending June 30, 2023.....No limit

Harold Rogers prescription fund (531-00-3188-3110)

For the fiscal year ending June 30, 2022.....No limit

For the fiscal year ending June 30, 2023.....No limit

Public health crisis response fund

For the fiscal year ending June 30, 2022.....No limit  
 For the fiscal year ending June 30, 2023.....No limit

(b) During the fiscal year ending June 30, 2022, the executive secretary of the state board of pharmacy, with the approval of the director of the budget, may transfer moneys from the state board of pharmacy fee fund (531-00-2718-0100) to the state board of pharmacy litigation fund (531-00-2733-2700) of the state board of pharmacy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2022, shall not exceed \$50,000: *Provided further*, That the executive secretary of the state board of pharmacy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(c) During the fiscal year ending June 30, 2023, the executive secretary of the state board of pharmacy, with the approval of the director of the budget, may transfer moneys from the state board of pharmacy fee fund (531-00-2718-0100) to the state board of pharmacy litigation fund (531-00-2733-2700) of the state board of pharmacy: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2023, shall not exceed \$50,000: *Provided further*, That the executive secretary of the state board of pharmacy shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(d) On July 1, 2021, October 1, 2021, January 1, 2022, and April 1, 2022, the executive secretary of the state board of pharmacy shall certify to the director of accounts and reports the amount of moneys expended for operation and maintenance of the prescription monitoring program established by K.S.A. 65-1681, and amendments thereto, that is attributable to licensees of the state board of healing arts: *Provided*, That upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the healing arts fee fund (105-00-2705-0100) of the state board of healing arts to the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy: *Provided further*, That the executive secretary of the state board of pharmacy shall transmit a copy of each such certification to the director of the budget, the director of legislative research and the executive director of the state board of healing arts: *Provided, however*, That the aggregate amount of such transfers during fiscal year 2022 shall not exceed \$75,000.

(e) On July 1, 2022, October 1, 2022, January 1, 2023, and April 1, 2023, the executive secretary of the state board of pharmacy shall certify to the director of accounts and reports the amount of moneys expended for operation and maintenance of the prescription monitoring program established by K.S.A. 65-1681, and amendments thereto, that is attributable to licensees of the state board of healing arts: *Provided*, That upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the healing arts fee fund (105-00-2705-0100) of the state board of healing arts to the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy: *Provided further*, That the executive secretary of the state board of pharmacy shall transmit a

copy of each such certification to the director of the budget, the director of legislative research and the executive director of the state board of healing arts: *Provided, however;* That the aggregate amount of such transfers during fiscal year 2023 shall not exceed \$75,000.

(f) On July 1, 2021, October 1, 2021, January 1, 2022, and April 1, 2022, the executive secretary of the state board of pharmacy shall certify to the director of accounts and reports the amount of moneys expended for operation and maintenance of the prescription monitoring program established by K.S.A. 65-1681, and amendments thereto, that is attributable to licensees of the board of nursing: *Provided,* That upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the board of nursing fee fund (482-00-2716-0200) of the board of nursing to the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy: *Provided further;* That the executive secretary of the state board of pharmacy shall transmit a copy of each such certification to the director of the budget, the director of legislative research and the executive administrator of the board of nursing: *Provided, however;* That the aggregate amount of such transfers during fiscal year 2022 shall not exceed \$70,000.

(g) On July 1, 2022, October 1, 2022, January 1, 2023, and April 1, 2023, the executive secretary of the state board of pharmacy shall certify to the director of accounts and reports the amount of moneys expended for operation and maintenance of the prescription monitoring program established by K.S.A. 65-1681, and amendments thereto, that is attributable to licensees of the board of nursing: *Provided,* That upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the board of nursing fee fund (482-00-2716-0200) of the board of nursing to the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy: *Provided further;* That the executive secretary of the state board of pharmacy shall transmit a copy of each such certification to the director of the budget, the director of legislative research and the executive administrator of the board of nursing: *Provided, however;* That the aggregate amount of such transfers during fiscal year 2023 shall not exceed \$70,000.

Sec. 22.

REAL ESTATE APPRAISAL BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Appraiser fee fund (543-00-2732-0100)	
For the fiscal year ending June 30, 2022.....	\$340,802
<i>Provided,</i> That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$500.	
For the fiscal year ending June 30, 2023.....	\$344,867

*Provided*, That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$500.

Federal registry clearing fund (543-00-7752-7000)

For the fiscal year ending June 30, 2022.....No limit

For the fiscal year ending June 30, 2023.....No limit

AMC federal registry clearing fund (543-00-7755-7755)

For the fiscal year ending June 30, 2022.....No limit

For the fiscal year ending June 30, 2023.....No limit

Special litigation reserve fund (543-00-2698-2698)

For the fiscal year ending June 30, 2022.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2022, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2023.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2023, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal years ending June 30, 2022, and June 30, 2023, the executive director of the real estate appraisal board, with the approval of the director of the budget, may transfer moneys from the appraiser fee fund (543-00-2732-0100) of the real estate appraisal board to the special litigation reserve fund (543-00-2698-2698) of the real estate appraisal board: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2022, and for the fiscal year ending June 30, 2023, shall not exceed \$20,000: *Provided further*; That the executive director of the real estate appraisal board shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 23.

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Real estate fee fund (549-00-2721-0100)  
For the fiscal year ending June 30, 2022.....\$1,175,955

*Provided*, That expenditures from the real estate fee fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$1,000.

For the fiscal year ending June 30, 2023.....\$1,190,738

*Provided*, That expenditures from the real estate fee fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$1,000.

Real estate recovery revolving fund (549-00-7368-4200)  
For the fiscal year ending June 30, 2022.....No limit  
For the fiscal year ending June 30, 2023.....No limit

Background investigation fee fund (549-00-2722-2700)  
For the fiscal year ending June 30, 2022.....No limit  
For the fiscal year ending June 30, 2023.....No limit

Special litigation reserve fund (663-00-2739-0200)  
For the fiscal year ending June 30, 2022.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2022, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2023.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2023, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

(b) During the fiscal year ending June 30, 2022, and June 30, 2023, the executive director of the Kansas real estate commission, with the approval of the director of the

budget, may transfer moneys from the real estate fee fund (549-00-2721-0100) to the special litigation reserve fund of the Kansas real estate commission: *Provided*, That the aggregate of such transfers for the fiscal year ending June 30, 2022, and for the fiscal year ending June 30, 2023, shall not exceed \$20,000: *Provided further*, That the executive director of the Kansas real estate commission shall certify each such transfer of moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 24.

STATE BOARD OF TECHNICAL PROFESSIONS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Technical professions fee fund (663-00-2729-0100)

For the fiscal year ending June 30, 2022.....\$786,172

*Provided*, That expenditures from the technical professions fee fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$1,000.

For the fiscal year ending June 30, 2023.....\$792,091

*Provided*, That expenditures from the technical professions fee fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$1,000.

Special litigation reserve fund (663-00-2739-0200)

For the fiscal year ending June 30, 2022.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2022, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an objective or goal that bears a valid relationship to powers and functions of the above agency.

For the fiscal year ending June 30, 2023.....No limit

*Provided*, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2023, except upon the approval of the director of the budget acting after ascertaining that: (1) Unforeseeable occurrence or unascertainable effects of a foreseeable occurrence characterize the need for the requested expenditure, and delay until the next legislative session on the requested action would be contrary to clause (3) of this proviso; (2) the requested expenditure is not one that was rejected in the next preceding session of the legislature and is not contrary to known legislative policy; and (3) the requested action will assist the above agency in attaining an

objective or goal that bears a valid relationship to powers and functions of the above agency.

Sec. 25.

STATE BOARD OF VETERINARY EXAMINERS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 20(a) of chapter 5 of the 2020 Session Laws of Kansas on the veterinary examiners fee fund (700-00-2727-1100) of the state board of veterinary examiners is hereby decreased from \$355,328 to \$337,491.

Sec. 26.

STATE BOARD OF VETERINARY EXAMINERS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Veterinary examiners fee fund (700-00-2727-1100)  
For the fiscal year ending June 30, 2022.....\$335,971

*Provided*, That expenditures from the veterinary examiners fee fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$700.

For the fiscal year ending June 30, 2023.....\$336,109

*Provided*, That expenditures from the veterinary examiners fee fund for the fiscal year ending June 30, 2023, for official hospitality shall not exceed \$700.

Sec. 27.

GOVERNMENTAL ETHICS COMMISSION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 22(b) of chapter 5 of the 2020 Session Laws of Kansas on the governmental ethics commission fee fund (247-00-2188-2000) of the governmental ethics commission is hereby increased from \$264,197 to \$270,369.

Sec. 28.

GOVERNMENTAL ETHICS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures (247-00-1000-0103)  
For the fiscal year ending June 30, 2022.....\$450,388

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

For the fiscal year ending June 30, 2023.....\$450,388

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Governmental ethics commission fee fund (247-00-2188-2000)

For the fiscal year ending June 30, 2022.....No limit

For the fiscal year ending June 30, 2023.....No limit

Sec. 29.

LEGISLATIVE COORDINATING COUNCIL

(a) On the effective date of this act, of the unencumbered balance from the state general fund in the coronavirus response account (422-00-1000-0200), the sum of \$16,678,708 is hereby lapsed.

(b) On the effective date of this act, of the \$4,380,604 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 24(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the legislative research department – operations account (425-00-1000-0103), the sum of \$167,153 is hereby lapsed.

(c) On the effective date of this act, of the \$4,121,467 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 24(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the office of revisor of statutes – operations account (579-00-1000-0103), the sum of \$384,071 is hereby lapsed.

(d) During the fiscal year ending June 30, 2021, notwithstanding the provisions of K.S.A. 75-3765a, and amendments thereto, or any other statute, expenditures shall be made by the above agency from the legislative coordinating council – operations account of the state general fund for fiscal year 2021 for the designation and identification of room 221-E of the state capitol building as a meditation room.

Sec. 30.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Legislative coordinating council –

operations (422-00-1000-0100).....\$757,225

*Provided*, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That notwithstanding the provisions of K.S.A. 75-

3765a, and amendments thereto, or any other statute, expenditures shall be made by the above agency from the legislative coordinating council – operations account of the state general fund for fiscal year 2022 for the designation and identification of room 221-E of the state capitol building as a meditation room.

Legislative research department –  
operations (425-00-1000-0103).....\$4,546,798

*Provided*, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Office of revisor of statutes –  
operations (579-00-1000-0103).....\$4,241,111

*Provided*, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative research department special  
revenue fund (425-00-2111-2000).....No limit

(c) During the fiscal year ending June 30, 2022, notwithstanding any other provision of law, this or other appropriation act, no expenditure shall be made from and no obligation shall be incurred against any federal grant or other federal receipt of moneys from the federal government received by the state of Kansas for aid for conronavirus relief until the legislative coordinating council has authorized the requesting state agency to make expenditures therefrom in accordance with this subsection: *Provided*, That the legislative budget committee shall meet and review each such request and shall report such committee's recommendation to the legislative coordinating council: *Provided further*, That, after receiving recommendations from the legislative budget committee, expenditures may be authorized by the legislative coordinating council: *And provided further*, That such requests may be approved by the members of the legislative coordinating council, as provided in K.S.A. 46-1202, and amendments thereto, acting on this matter, which is hereby characterized as a matter of legislative delegation, except that such disbursements and expenditures may also be approved while the legislature is in session: *And provided further*, That the legislative coordinating council is hereby authorized to approve the requests for such purposes: *And provided further*, That upon receipt of such approval by the legislative coordinating council, the requesting state agency is authorized to expend all approved moneys lawfully credited to and available in such fund or funds during the fiscal year ending June 30, 2022.

Sec. 31.

(a) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 75-3765a, and amendments thereto, or any other statute, expenditures shall be made by the above agency from the legislative coordinating council – operations account of the state general fund for fiscal year 2023 for the designation and identification of room 221-E of the state capitol building as a meditation room.

Sec. 32.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operations (including official  
hospitality) (428-00-1000-0103).....\$17,911,128

*Provided*, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That expenditures may be made from this account, pursuant to vouchers approved by the chairperson or vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee that are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *And provided further*, That expenditures may be made from this account for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That no expenditures shall be made from this account for any meeting of any joint committee, or of any subcommittee of any joint committee, chargeable to fiscal year 2022 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2022: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in

excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2022: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this account for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2022: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this account for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2022: *And provided further*, That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, or any other statute, expenditures may be made from this account to reimburse members of the legislature for expenses incurred in printing correspondence with constituents: *And provided further*, That no expenses shall be reimbursed unless a legislator has first obtained approval for such printing by the director of legislative administrative services: *And provided further*, That such reimbursements shall only be issued after a legislator provides written receipts showing such expense to the director of legislative administrative services: *And provided further*, That the maximum amount reimbursed to any legislator shall be equal to or less than the maximum amount allotted to any legislator for constituent correspondence pursuant to policies adopted by the legislative coordinating council.

Legislative information system (428-00-1000-0300).....\$5,829,366

*Provided*, That any unencumbered balance in the legislative Information system account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislative special revenue fund (428-00-2260-2200).....No limit

*Provided*, That expenditures may be made from the legislative special revenue fund, pursuant to vouchers approved by the chairperson or the vice-chairperson of the legislative coordinating council, to pay compensation and travel expenses and subsistence expenses or allowances as authorized by K.S.A. 75-3212, and amendments thereto, for members and associate members of the advisory committee to the Kansas commission on interstate cooperation established under K.S.A. 46-407a, and amendments thereto, for attendance at meetings of the advisory committee which are authorized by the legislative coordinating council, except that: (1) The legislative coordinating council may establish restrictions or limitations, or both, on travel expenses, subsistence expenses or allowances, or any combination thereof, paid to members and associate members of such advisory committee; and (2) any person who is an associate member of such advisory committee, by reason of such person having been

accredited by the national conference of commissioners on uniform state laws as a life member of that organization, shall receive the same travel expenses and subsistence expenses for attendance at meetings of the advisory committee as a regular member, but shall receive no per diem compensation: *Provided further*, That expenditures may be made from this fund for services, facilities and supplies provided for legislators in addition to those provided under the approved budget and for related copying, facsimile transmission and other services provided to persons other than legislators, in accordance with policies and any restrictions or limitations prescribed by the legislative coordinating council: *And provided further*, That amounts are hereby authorized to be collected for such services, facilities and supplies in accordance with policies of the council: *And provided further*, That such amounts shall be fixed in order to recover all or part of the expenses incurred for providing such services, facilities and supplies and shall be consistent with policies and fees established in accordance with K.S.A. 46-1207a, and amendments thereto: *And provided further*, That all such amounts received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the legislative special revenue fund: *And provided further*, That all donations, gifts or bequests of money for the legislative branch of government which are received and accepted by the legislative coordinating council shall be deposited in the state treasury and credited to an account of the legislative special revenue fund: *And provided further*, That no expenditures shall be made from this fund for any meeting of any joint committee, or of any subcommittee of any joint committee, during fiscal year 2022 unless such meeting is approved by the legislative coordinating council: *And provided further*, That, notwithstanding the provisions of K.S.A. 45-116, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of copies of the permanent journals of the senate or house of representatives to each member of the legislature during fiscal year 2022: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and distribution of complete sets of the Kansas Statutes Annotated to each member of the legislature in excess of one complete set of the Kansas Statutes Annotated to each member at the commencement of the member's first term as legislator during fiscal year 2022: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-138, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the legislator's name to be printed on one complete set of the Kansas Statutes Annotated during fiscal year 2022: *And provided further*, That, notwithstanding the provisions of K.S.A. 77-165, and amendments thereto, or any other statute, no expenditures shall be made from this fund for the printing and delivering of a set of the cumulative supplements of the Kansas Statutes Annotated to each member of the legislature in excess of one cumulative supplement set of the Kansas Statutes Annotated to each member of the legislature during fiscal year 2022.

Capitol restoration – gifts and  
 donations fund (428-00-7348-7000).....No limit

(c) As used in this section, "joint committee" includes the joint committee on administrative rules and regulations, health care stabilization fund oversight committee, joint committee on special claims against the state, legislative budget committee, joint

committee on state building construction, joint committee on information technology, joint committee on pensions, investments and benefits, joint committee on state-tribal relations, confirmation oversight committee, joint committee on corrections and juvenile justice oversight, compensation commission, joint committee on Kansas security, Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight, capitol restoration commission, capitol preservation committee and any other committee, commission or other body for which expenditures are to be paid from moneys appropriated for the legislature for the expenses of any meeting of any such body or for the expenses of any member thereof.

Sec. 33.

DIVISION OF POST AUDIT

(a) On the effective date of this act, of the \$3,099,254 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 27(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the operations (including legislative post audit committee) account (540-00-1000-0100), the sum of \$24,889 is hereby lapsed.

Sec. 34.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operations (including legislative post audit committee) (540-00-1000-0100).....\$3,356,162

*Provided*, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Sec. 35.

GOVERNOR'S DEPARTMENT

(a) On the effective date of this act, of the \$2,753,099 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 28(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the governor's department account (252-00-1000-0503), the sum of \$18,883 is hereby lapsed.

Sec. 36.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Governor's department (252-00-1000-0503).....\$2,758,480

*Provided*, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That expenditures may be made from this account for official hospitality and contingencies without limitation at the discretion of the governor.

Domestic violence

prevention grants (252-00-1000-0600).....\$4,639,941

*Provided*, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That expenditures may be made from the domestic violence prevention grants account for official hospitality and contingencies without limitation at the discretion of the governor.

Child advocacy centers (252-00-1000-0610).....\$804,948

*Provided*, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That expenditures may be made from the child advocacy centers account for official hospitality and contingencies without limitation at the discretion of the governor.

(b) Expenditures may be made by the above agency for travel expenses of the governor's spouse when accompanying the governor or when representing the governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2022, by subsection (a) from the state general fund in the governor's department account (252-00-1000-0503).

(c) Expenditures may be made by the above agency for travel expenses of the lieutenant governor's spouse when accompanying the lieutenant governor or when representing the lieutenant governor on official state business, for travel and subsistence expenditures for security personnel when traveling with the lieutenant governor and for entertainment of officials and other persons as guests from the amount appropriated for the fiscal year ending June 30, 2022, by subsection (a) from the state general fund in the governor's department account (252-00-1000-0503).

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Special programs fund (252-00-2149).....No limit

*Provided*, That expenditures may be made from the special programs fund for operating expenditures for the governor's department, including conferences and official hospitality: *Provided further*; That the governor is hereby authorized to fix, charge and collect fees for such conferences: *And provided further*; That fees for such conferences shall be fixed in order to recover all or part of the operating expenses incurred for such conferences, including official hospitality: *And provided further*; That all fees received

for such conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special programs fund.

Conversion of materials and equipment fund (252-00-2409-0400).....No limit

Hispanic and Latino American affairs commission – donations fund (252-00-7236-7200).....No limit

Advisory commission on African-American affairs – donations fund (252-00-7242-7210).....No limit

Kansas commission on disability concerns fee fund (252-00-2767-2705).....No limit

Domestic violence grants fund (252-00-2014-2014).....No limit

*Provided*, That grants made for domestic violence prevention shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control and prevention as the official domestic violence or sexual assault coalition.

Child advocacy centers grant fund (252-00-2024-2024).....No limit

Residential substance abuse – federal fund (252-00-3006-3013).....No limit

Arrest grant – federal fund (252-00-3082-3040).....No limit

National criminal history improvement program – federal fund (252-00-3189-3195).....No limit

Violence against women grant – federal fund (252-00-3214-3211).....No limit

Project safe neighborhood grant federal fund (252-00-3252-3252).....No limit

Coverdell forensic science improvement – federal fund (252-00-3227-3234).....No limit

State victim assistance – federal fund (252-00-3250-3250).....No limit

Crime victim assistance – federal fund (252-00-3260-3260).....No limit

Access visitation grant – federal fund (252-00-3460-3460).....No limit

Battered women/family violence prevention – federal fund (252-00-3461-3461).....No limit

Sexual assault services program –  
 federal fund (252-00-3465-3465).....No limit

Coronavirus relief fund –  
 federal fund (252-00-3753-3753).....No limit

Edward Byrne justice assistance grants –  
 federal fund (252-00-3757-3763).....No limit

Prison rape elimination act –  
 federal fund (252-00-3758-3755).....No limit

John R Justice grant –  
 federal fund (252-00-3802-3802).....No limit

Sec. 37.

ATTORNEY GENERAL

(a) On the effective date of this act, of the \$78,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 30(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in litigation costs account (082-00-1000-0040), the sum of \$50,000 is hereby lapsed.

(b) On the effective date of this act, of the \$4,880,302 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 30(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the operating expenditures account (082-00-1000-0103), the sum of \$129 is hereby lapsed.

(c) On the effective date of this act, of the \$349,999 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 30(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the abuse, neglect and exploitation unit account (082-00-1000-0500), the sum of \$53 is hereby lapsed.

(d) Notwithstanding the provisions of any other statute, during the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from the tobacco master settlement agreement compliance fund (082-00-2383-2320), expenditures may be made by the above agency from such fund for the purposes of performing the powers, duties and functions pursuant to K.S.A. 75-772, and amendments thereto.

(e) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$460,593 from the Kansas endowment for youth fund (365-00-7000-2000) to the tobacco master settlement agreement compliance fund (082-00-2383-2320) of the attorney general.

(f) During the fiscal year ending June 30, 2021, notwithstanding the provisions of any statute, in addition to the other purposes for which expenditures may be made from the scrap metal theft reduction fee fund for fiscal year 2021 by the attorney general as authorized by chapter 5 of the 2020 Session Laws of Kansas, this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the attorney general from the scrap metal theft reduction fee fund for fiscal year 2021 to reimburse scrap metal dealers, as defined in K.S.A. 50-6,109, and amendments thereto,

in the amount of \$1,000 for each year such scrap metal dealers paid registration fees under the scrap metal theft reduction act and such act was not operative and to reimburse such scrap metal dealers for the costs of fingerprinting any such scrap metal dealer prior to July 1, 2020.

(g) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$400,000 from the state general fund to the scrap metal theft reduction fee fund of the attorney general.

Sec. 38.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (082-00-1000-0103).....\$4,310,584

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,000.

Litigation costs (082-00-1000-0040).....\$78,000

*Provided*, That any unencumbered balance in the litigation costs account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Abuse, neglect and exploitation unit (082-00-1000-0500).....\$349,999

*Provided*, That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That expenditures may be made by the attorney general from the abuse, neglect and exploitation unit account pursuant to contracts with other agencies or organizations to provide services related to the investigation or litigation of findings related to abuse, neglect or exploitation.

Child abuse grants (082-00-1000-0400).....\$67,500

Child exchange and visitation centers (082-00-1000-0450).....\$115,200

*Provided*, That notwithstanding the provisions of K.S.A. 74-7334, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2022, the above agency may use moneys in the child exchange and visitation centers account for matching funds.

Protection from abuse (082-00-1000-0900).....\$467,100

Office of inspector general (082-00-1000-0300).....\$464,282

*Provided*, That any unencumbered balance in the office of inspector general account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Private detective fee fund (082-00-2029-2029).....	No limit
Court cost fund (082-00-2012-2000).....	No limit
Bond transcript review fee fund (082-00-2254-2300).....	No limit
Conversion of materials and equipment fund (082-00-2405-2040).....	No limit
Attorney general's antitrust special revenue fund (082-00-2506-2050).....	No limit
Private gifts fund (082-00-7300-7000).....	No limit
Medicaid fraud reimbursement fund (082-00-9034-9040).....	No limit
Medicaid fraud control unit (082-00-3060-3080).....	No limit
Attorney general's antitrust suspense fund (082-00-9002-9000).....	No limit
Attorney general's consumer protection clearing fund (082-00-9003-9010).....	No limit
Attorney general's committee on crime prevention fee fund (082-00-2113-2090).....	No limit

*Provided*, That expenditures may be made from the attorney general's committee on crime prevention fee fund for operating expenditures directly or indirectly related to conducting training seminars organized by the attorney general's committee on crime prevention, including official hospitality: *Provided further*; That the attorney general is hereby authorized to fix, charge and collect fees for conducting training seminars organized by the attorney general's committee on crime prevention: *And provided further*; That such fees shall be fixed in order to recover all or part of the direct and indirect operating expenses incurred for conducting such seminars, including official hospitality: *And provided further*; That all fees received for conducting such seminars shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the attorney general's committee on crime prevention fee fund.

Tort claims fund (082-00-2613-2080).....	No limit
Crime victims compensation fund (082-00-2563-2060).....	No limit

*Provided*, That expenditures from the crime victims compensation fund for state operations shall not exceed \$536,550: *Provided further*; That any expenditures for payment of compensation to crime victims are authorized to be made from this fund regardless of when the claim was awarded.

Crime victims assistance fund (082-00-2598-2070).....No limit

Protection from abuse fund (082-00-2239-2030) .....No limit

Crime victims grants and gifts fund (082-00-7340-7010).....No limit

*Provided*, That all private grants and gifts received by the crime victims compensation board shall be deposited to the credit of the crime victims grants and gifts fund.

Kansas attorney general batterer intervention program certification fund (082-00-2103-2103).....No limit

Debt collection administration cost recovery fund (082-00-2305-2240).....No limit

*Provided*, That the attorney general shall deposit in the state treasury to the credit of the debt collection administration cost recovery fund all moneys remitted to the attorney general as administrative costs under contracts entered into pursuant to K.S.A. 75-719, and amendments thereto.

Medicaid fraud prosecution revolving fund (082-00-2641-2280).....No limit

*Provided*, That all moneys recovered by the medicaid fraud and abuse division of the attorney general's office in the enforcement of state and federal law which are in excess of any restitution for overcharges and interest, including all moneys recovered as recoupment of expenses of investigation and prosecution, shall be deposited in the state treasury to the credit of the medicaid fraud prosecution revolving fund: *Provided further*; That, notwithstanding the provisions of K.S.A. 2020 Supp. 21-5933, and amendments thereto, or any other statute, expenditures may be made from the medicaid fraud prosecution revolving fund for other operating expenditures of the attorney general's office other than for medicaid fraud prosecution costs.

Interstate water litigation fund (082-00-2311-2295).....No limit

*Provided*, That, in addition to the other purposes authorized by K.S.A. 82a-1802, and amendments thereto, expenditures may be made from the interstate water litigation fund for: (1) Litigation costs for the case of Kansas v. Colorado No. 105, Original in the Supreme Court of the United States, including repayment of past contributions; (2) expenses related to the appointment of a river master or such other official as may be appointed by the Supreme Court to administer, implement or enforce its decree or other orders of the Supreme Court related to this case; and (3) expenses incurred by agencies of the state of Kansas to monitor actions of the state of Colorado and its water users and to enforce any settlement, decree or order of the Supreme Court related to this case.

Suspense fund (082-00-9112-9030).....No limit

Children's advocacy center fund (082-00-2654-2610).....No limit

Abuse, neglect and exploitation of

people with disabilities unit grant acceptance fund (082-00-2482-2500).....	No limit
Concealed weapon licensure fund (082-00-2450-2400).....	No limit
Tobacco master settlement agreement compliance fund (082-00-2383-2320).....	No limit
Sexually violent predator expense fund (082-00-2379-2310).....	No limit
County law enforcement equipment fund (082-00-2470-2470).....	No limit
Child exchange and visiting centers fund (082-00-2579-2250).....	No limit
Roofing contractor registration fund (082-00-2774-2774).....	No limit
State medicaid fraud control unit – federal fund (082-00-3060-3060).....	No limit
Com def sol – violence against women federal fund (082-00-3082-3082).....	No limit
Crime victims compensation federal fund (082-00-3133-3020).....	No limit
Ed Byrne state/local law enforcement federal fund (082-00-3213-3213).....	No limit
Violence against women – ARRA federal fund (082-00-3214-3212).....	No limit
Comm prsct/project safe neighborhood federal fund (082-00-3217-3217).....	No limit
Public safety prtnt/comm pol fund (082-00-3218-3218).....	No limit
Anti-gang initiative federal fund (082-00-3229-3229).....	No limit
Alcohol impaired driving cntrmsr federal fund (082-00-3247-3247).....	No limit
Children's justice grant federal fund (082-00-3381-3381).....	No limit
Sexual assault kit initiative federal fund (082-00-3416-3416).....	No limit
Ed Byrne memorial JAG – ARRA federal fund (082-00-3455-3455).....	No limit
Medicaid indirect cost	

federal fund (082-00-3919-3919).....	No limit
Federal forfeiture fund (082-00-3940-3940).....	No limit
SSA fraud prevention	
federal fund (082-00-2174-2175).....	No limit
False claims litigation	
revolving fund (082-00-2650-2600).....	No limit
<i>Provided, That expenditures may be made from the false claims litigation revolving fund for costs associated with litigation under the Kansas false claims act, K.S.A. 75-7501 et seq., and amendments thereto.</i>	
Ed Byrne memorial justice assistance grant	
federal fund (082-00-3057-3057).....	No limit
911 state maintenance fund (082-00-2747-2447).....	No limit
DOT prohibit	
racial profiling (082-00-3566-3566).....	No limit
Human trafficking victim	
assistance fund (082-00-2775-2775).....	No limit
Criminal appeals cost fund (082-00-2779-2779).....	No limit
Attorney general's open	
government fund (082-00-2497-2497).....	No limit
Scrap metal theft reduction	
fee fund (082-00-2085-2100).....	No limit
Bail enforcement agents	
fee fund (082-00-2259-2259).....	No limit
Fraud and abuse criminal	
prosecution fund (082-00-2262-2262).....	No limit
Attorney general's state agency	
representation fund.....	No limit
State medicaid fraud forfeiture fund.....	No limit

(c) During the fiscal year ending June 30, 2022, grants made pursuant to K.S.A. 74-7325, and amendments thereto, from the protection from abuse fund (082-00-2239-2030) and grants made pursuant to K.S.A. 74-7334, and amendments thereto, from the crime victims assistance fund (082-00-2598-2070) shall be made after consideration of the recommendation of an entity that has been designated by the United States department of health and human services and by the centers for disease control as the official domestic violence or sexual assault coalition.

(d) During the fiscal year ending June 30, 2022, the attorney general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2022 from the state general fund for the attorney general to another item of appropriation for fiscal year 2022 from the state general fund for the attorney general. The attorney general shall certify each such transfer to the director of

accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the state general fund to the sexually violent predator expense fund (082-00-2379-2310) of the attorney general.

(f) Notwithstanding the provisions of any other statute, during the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from the tobacco master settlement agreement compliance fund (082-00-2383-2320), expenditures may be made by the above agency from such fund for the purposes of performing the powers, duties and functions pursuant to K.S.A. 75-772, and amendments thereto.

(g) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$460,593 from the Kansas endowment for youth fund (365-00-7000-2000) to the tobacco master settlement agreement compliance fund (082-00-2383-2320) of the attorney general.

(h) Notwithstanding the provisions of K.S.A. 2020 Supp. 75-7c05, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the attorney general from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to fix, charge and collect a nonrefundable fee for the purpose of obtaining a concealed carry handgun license of \$112, if the applicant has not previously been issued a statewide license or if the applicant's license has permanently expired, which fee shall be in the form of two cashier's checks, personal checks or money orders of \$32.50 payable to the sheriff of the county where the applicant resides and \$79.50 payable to the attorney general.

Sec. 39.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Cemetery and funeral audit  
fee fund (622-00-2225-2100).....No limit
- HAVA ELVIS fund (622-00-2353-2150).....No limit
- Conversion of materials and  
equipment fund (622-00-2418-2200).....No limit
- Information and services  
fee fund (622-00-2430-2300).....No limit

*Provided*, That expenditures from the information and services fee fund for official

hospitality shall not exceed \$2,533.

State register fee fund (622-00-2619-2500).....No limit

Uniform commercial code  
fee fund (622-00-2664-2600).....No limit

State flag and banner fund (622-00-5130-4600).....No limit

Secretary of state fee  
refund fund (622-00-9047-9100).....No limit

Electronic voting machine  
examination fund (622-00-9101-9200).....No limit

Credit card clearing fund (622-00-9434-9400).....No limit

Suspense fund (622-00-9046-9000).....No limit

Prepaid services fund (622-00-9114-9300).....No limit

Athlete agent registration  
fee fund (622-00-2674-2700).....No limit

Democracy fund (622-00-2702-2400).....No limit

*Provided*, That all expenditures from the democracy fund shall be to provide matching funds to implement title II of the federal help America vote act of 2002, public law 107-252, as prescribed under that act.

Technology communication  
fee fund (622-00-2672-2900).....No limit

Help America vote act  
federal fund (622-00-3091).....No limit

HAVA title I federal fund (622-00-3283-3283).....No limit

HAVA election security fraud 2018 (622-00-3956-3956).....No limit

(b) During the fiscal year ending June 30, 2022, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from any special revenue fund or funds for fiscal year 2022 by the above agency by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such special revenue fund or funds to provide a report to the house appropriations committee and the senate ways and means committee detailing the costs of publication in a newspaper in each county pursuant to K.S.A. 64-103, and amendments thereto, of any constitutional amendment that is introduced by the legislature during the 2022 regular session of the legislature and detailing costs to local units of governments for conducting elections that include proposed constitutional amendments.

(c) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,085 from the state general fund to the HAVA election security 2020 state match account of the democracy fund (622-00-2702) of the secretary of state.

(d) On or before the 10<sup>th</sup> day of each month commencing July 1, 2021, during fiscal year 2022, the director of accounts and reports shall transfer from the state general fund to the democracy fund interest earnings based on:

- (1) The average daily balance of moneys in the democracy fund for the preceding month; and
- (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

Sec. 40.

SECRETARY OF STATE

(a) During the fiscal year ending June 30, 2023, pursuant to K.S.A. 64-103(b), and amendments thereto, after publication of resolutions making propositions to amend the constitution, the secretary of state shall certify the amount of moneys expended on such publication and shall transmit a copy of such certification to the director of accounts and reports. Upon such receipt of such certification, the director of accounts and reports shall transfer an amount of moneys equal to such certified amounts from the state general fund to the information services fee fund of the secretary of state and shall transmit a notification of such transfer to the director of legislative research and the director of the budget.

Sec. 41.

STATE TREASURER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 34(a) of chapter 5 of the 2020 Session Laws of Kansas on the state treasurer operating fund (670-00-2374-2300) of the state treasurer is hereby decreased from \$1,726,906 to \$1,707,829.

(b) Notwithstanding any provision of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, on June 30, 2021, the director of accounts and reports shall transfer to the state general fund any remaining unencumbered balance in the state treasurer operating fund exceeding \$100,000.

Sec. 42.

STATE TREASURER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State treasurer	
operating fund (670-00-2374-2300).....	\$1,696,618

*Provided*, That, notwithstanding the provisions of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, of all the

moneys received under the uniform unclaimed property act during fiscal year 2022, the state treasurer is hereby authorized and directed to credit the first amount equal to the expenditure limitation approved by this or other appropriation act of the legislature received and deposited in the state treasury to the state treasurer operating fund: *Provided further*, Notwithstanding any provision of the uniform unclaimed property act, K.S.A. 58-3934 et seq., and amendments thereto, or any other statute, on June 30, 2022, the director of accounts and reports shall transfer to the state general fund any remaining unencumbered balance in the state treasurer operating fund exceeding \$100,000: *And provided further*, That, after such aggregate amount has been credited to the state treasurer operating fund, then all of the moneys received under the uniform unclaimed property act during fiscal year 2022 shall be credited as prescribed under the uniform unclaimed property act: *And provided further*, That all moneys credited to the state treasurer operating fund during fiscal year 2022 are to reimburse the state treasurer for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed to administer the provisions of the uniform unclaimed property act that are not otherwise reimbursed under any other provision of law.

Fiscal agency fund (670-00-7754-6400).....	No limit
Bond services fee fund (670-00-2061-2500).....	No limit
City bond finance fund (670-00-7654).....	No limit
Local ad valorem tax reduction fund (670-00-7394-4800).....	No limit
County and city revenue sharing fund (670-00-7395-4900).....	No limit
Suspense fund (670-00-9054-9000).....	No limit
County and city retailers' sales tax fund (670-00-7608-6000).....	No limit
County and city compensating use tax fund (670-00-7667-6200).....	No limit
Local alcoholic liquor fund (670-00-7665-6100).....	No limit
Local alcoholic liquor equalization fund (670-00-7759-6500).....	No limit
Unclaimed property claims fund (670-00-7758-7700).....	No limit
Unclaimed property expense fund (670-00-2362-2200).....	No limit
<i>Provided</i> , That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.	
County and city transient guest tax fund (670-00-7602-6600).....	No limit
Racing admissions tax fund (670-00-7670-6300).....	No limit

Rental motor vehicle excise tax fund (670-00-7681-6800).....	No limit
Transportation development district sales tax fund (670-00-7601-7000).....	No limit
Redevelopment bond fund (670-00-7683-6900).....	No limit
Special qualified industrial manufacturer fund (670-00-9525-9525).....	No limit
Kansas postsecondary education savings program trust fund (670-00-7241-7100).....	No limit
Kansas postsecondary education savings expense fund (670-00-2096-2000).....	No limit
Conversion of materials and equipment fund (670-00-2461-2700).....	No limit
Tax increment financing revenue replacement fund (670-00-7391-4700).....	No limit
Spirit bonds fund (670-00-9515-9515).....	No limit

*Provided, That, on the 15<sup>th</sup> day of each month that commences during fiscal year 2022, the secretary of revenue shall determine the amount of revenue received by the state during the preceding month from withholding taxes paid with respect to an eligible project by each taxpayer that is an eligible business for which bonds have been issued under K.S.A. 74-50,136, and amendments thereto, and for which the Spirit bonds fund was created, and shall certify the amount so determined to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of the budget and the director of legislative research: Provided further, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the state general fund to the Spirit bonds fund: And provided further, That, on or before the 10<sup>th</sup> day of each month commencing during fiscal year 2022, the director of accounts and reports shall transfer from the state general fund to the Spirit bonds fund interest earnings based on: (1) The average daily balance of moneys in the Spirit bonds fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month: And provided further, That the moneys credited to the Spirit bonds fund from the withholding taxes paid by an eligible business and the interest earnings thereon shall be transferred by the state treasurer from the Spirit bonds fund to the special economic revitalizing fund administered by the state treasurer in accordance with K.S.A. 74-50,136, and amendments thereto.*

Business machinery and equipment tax reduction assistance fund (670-00-7684-7680).....	\$0
Telecommunications and railroad machinery and equipment tax reduction assistance fund (670-00-7685-7690).....	\$0
Community improvement district sales	

tax fund (670-00-7610-7650).....	No limit
Special economic revitalization fund (670-00-9520-9520).....	No limit
Bioscience development and investment fund (670-00-9510-9510).....	No limit
KS ABLE savings expense fund (670-00-2177-2177).....	No limit
Other federal grants fund.....	No limit

(b) During the fiscal year ending June 30, 2022, notwithstanding the provisions of K.S.A. 75-1514, and amendments thereto, or any other statute, the commissioner of insurance shall remit all moneys received by the commissioner under K.S.A. 75-1508, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto: *Provided*, That, upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury: *Provided, however*, That, for each such remittance deposited in the state treasury during fiscal year 2022, the state treasurer shall not credit such deposit pursuant to K.S.A. 75-1514, and amendments thereto, but shall credit such deposit in accordance with the provisions of this subsection: *Provided further*, That the state treasurer shall credit 10% of each such deposit to the state general fund and the state treasurer shall credit the remainder of each such deposit as follows: (1) The amount equal to 64% of the remainder of such deposit shall be credited to the fire marshal fee fund (234-00-2330-2000) of the state fire marshal; (2) the amount equal to 20% of the remainder of such deposit shall be credited to the emergency medical services board operating fund (206-00-2326-4000) of the emergency medical services board; and (3) the amount equal to 16% of the remainder of such deposit shall be credited to the fire service training program fund (682-00-2123-2170) of the university of Kansas: *And provided further*, That the amount of each such deposit that is credited to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state fire marshal, the emergency medical services board, and the fire service training program of the university of Kansas by other state agencies which receive appropriations from the state general fund to provide such services: *And provided further*, That, whenever in fiscal year 2022 the aggregate amount that the 10% credit to the state general fund prescribed by this subsection is equal to \$100,000, then: (1) The provisions of this subsection prescribing the 10% credit to the state general fund no longer shall apply to moneys received pursuant to K.S.A. 75-1508, and amendments thereto; and (2) for the remainder of fiscal year 2022, the state treasurer shall credit the full 100% so received of each such deposit as follows: (A) The amount equal to 64% of such deposit shall be credited to the fire marshal fee fund of the state fire marshal; (B) the amount equal to 20% of such deposit shall be credited to the emergency medical services board operating fund of the emergency medical services board; and (C) the amount equal to 16% of such deposit shall be credited to the fire service training program fund of the university of Kansas.

(c) Notwithstanding the provisions of K.S.A. 75-648, and amendments thereto, or any other statute, on July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000 from the Kansas postsecondary education savings expense fund (670-00-2096-2000) of the state treasurer to the KS ABLE savings expense fund (670-00-2177-2177) of the state treasurer.

Sec. 43.

INSURANCE DEPARTMENT

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Insurance department service  
regulation fund (331-00-2270-2400).....No limit

*Provided*, That expenditures from the insurance department service regulation fund for official hospitality shall not exceed \$2,500.

Insurance company  
examination fund (331-00-2055-2000).....No limit

Insurance company annual statement  
examination fund (331-00-2056-2100).....No limit

Insurance company examiner  
training fund (331-00-2057-2200).....No limit

Workers compensation fund (331-00-7354-7000).....No limit

*Provided*, That expenditures from the workers compensation fund for attorney fees and other costs and benefit payments may be made regardless of when services were rendered or when the initial award of benefits was made.

State firefighters relief fund (331-00-7652-7130).....No limit

Insurance company tax and fee  
refund fund (331-00-9017-9100).....No limit

Group-funded workers' compensation pools  
fee fund (331-00-7374-7120).....No limit

Municipal group-funded pools  
fee fund (331-00-7356-7100).....No limit

Uninsurable health insurance  
plan fund (331-00-2328-2500).....No limit

Private grants and  
gifts fund (331-00-7301-7301).....No limit

Insurance education and  
training fund (331-00-2367-2600).....No limit

*Provided*, That expenditures may be made from the insurance education and training

fund for training programs and official hospitality: *Provided further*, That the insurance commissioner is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs shall be fixed in order to collect all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such training programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the insurance education and training fund.

Monumental life settlement fund (331-00-7360-7360).....No limit

*Provided*, That all expenditures from the monumental life settlement fund shall be made for scholarship purposes: *Provided further*, That the scholarship recipients shall be African-American students who are currently enrolled and are attending an accredited higher education institution in the state of Kansas and who have designated a major in mathematics, computer science or business.

Fines and penalties fund (331-00-2351-2510).....No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 40-2606, and amendments thereto, or any other statute, all moneys received during fiscal year 2022 for penalties imposed pursuant to K.S.A. 40-2606, and amendments thereto, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the fines and penalties fund.

Settlements fund (331-00-2523-2520).....No limit

*Provided*, That moneys may be transferred or otherwise credited to the settlements fund as the result of or pursuant to court orders under K.S.A. 40-3644, and amendments thereto, court-ordered settlements, or legislative authority: *Provided further*, That expenditures from the settlements fund shall be made for the purpose of providing consumer education and outreach or for costs that the insurance department may incur in closeout of any troubled insurance company matters.

Professional employer organization fee fund (331-00-2678-2678).....No limit

Pharmacy benefits manager registration fund (331-00-2665-2665).....No limit

Securities act fee fund (331-00-2162-0100).....\$3,416,292

*Provided*, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$2,000.

Investor education and protection fund (331-00-2242-2240).....No limit

*Provided*, That expenditures from the investor education and protection fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$5,000.

Captive insurance regulatory and supervision fund.....No limit

(b) In addition to the other purposes for which expenditures may be made by the insurance department from the insurance company examination fund (331-00-2055-2000) for fiscal year 2022 as authorized by K.S.A. 40-223, and amendments thereto, notwithstanding the provisions of K.S.A. 40-223, and amendments thereto, or any other statute, expenditures may be made by the insurance department from the insurance company examination fund for fiscal year 2022 for the examination of annual statements filed with the commissioner of insurance, regardless of when the services were rendered, when the expenses were incurred or when any claim was submitted or processed for payment and regardless of whether or not the services were rendered or the expenses were incurred prior to the effective date of this act.

(c) On July 1, 2021, the director of accounts and reports shall transfer all moneys in the insurance department rehabilitation and repair fund (331-00-2887) to the insurance department service regulation fund (331-00-2270). On July 1, 2021, all liabilities of the insurance department rehabilitation and repair fund (331-00-2887) are hereby transferred to and imposed on the insurance department service regulation fund (331-00-2270) and the insurance department rehabilitation and repair fund (331-00-2887) is hereby abolished.

(d) On July 1, 2021, the director of accounts and reports shall transfer all moneys in the HHS rate review grant – federal fund (331-00-3505) to the insurance department service regulation fund (331-00-2270). On July 1, 2021, all liabilities of the HHS rate review grant – federal fund (331-00-3505) are hereby transferred to and imposed on the insurance department service regulation fund (331-00-2270) and the HHS rate review grant – federal fund (331-00-3505) is hereby abolished.

(e) On July 1, 2021, the director of accounts and reports shall transfer all moneys in the HHS consumer assistance grant – federal fund (331-00-3555) to the insurance department service regulation fund (331-00-2270). On July 1, 2021, all liabilities of the HHS consumer assistance grant – federal fund (331-00-3555) are hereby transferred to and imposed on the insurance department service regulation fund (331-00-2270) and the HHS consumer assistance grant – federal fund (331-00-3555) is hereby abolished.

(f) On July 1, 2021, the director of accounts and reports shall transfer all moneys in the HHS exchange planning & establishment grant – federal fund (331-00-3556) to the insurance department service regulation fund (331-00-2270). On July 1, 2021, all liabilities of the HHS exchange planning & establishment grant – federal fund (331-00-3556) are hereby transferred to and imposed on the insurance department service regulation fund (331-00-2270) and the HHS exchange planning & establishment grant – federal fund (331-00-3556) is hereby abolished.

Sec. 44.

HEALTH CARE STABILIZATION  
FUND BOARD OF GOVERNORS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Conference fee fund (270-00-2453-2453).....No limit

Health care stabilization fund (270-00-7404-2000).....No limit

(b) Expenditures from the health care stabilization fund for the fiscal year ending June 30, 2022, other than refunds authorized by law for the following specified purposes shall not exceed the limitations prescribed therefor as follows:

Operating expenditures (270-00-7404-2100).....No limit

*Provided*, That expenditures may be made from the operating expenditures account for official hospitality.

Legal services and other claims expenses (270-00-7404-2300).....No limit

Claims and benefits (270-00-7404-2400).....No limit

Sec. 45.

POOLED MONEY INVESTMENT BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Municipal investment pool fund (671-00-7537-7000).....No limit

Pooled money investment portfolio fee fund (671-00-2319-2000).....No limit

*Provided*, That, on or before the fifth day of each month of the fiscal year ending June 30, 2022, the state treasurer shall certify to the pooled money investment board an accounting of the banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during such month: *Provided further*, That, prior to the 10<sup>th</sup> day of each month during the fiscal year ending June 30, 2022, the pooled money investment board shall review the certification from the state treasurer and shall make expenditures from the pooled money investment portfolio fee fund (671-00-2319-2000) to pay the amount of banking fees incurred by the state treasurer during the second preceding month that are attributable to the investment of the pooled money investment portfolio during the second preceding month, as determined by the pooled money investment board: *And provided further*, That expenditures from the pooled money investment portfolio fee fund for official hospitality shall not exceed \$800.

Sec. 46.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

Judicial council fund (349-00-2127-2100).....No limit

Grants and gifts fund (349-00-7326-7000).....No limit

*Provided*, That all private grants and gifts received by the judicial council, other than moneys received as grants, gifts or donations for the preparation, publication or distribution of legal publications, shall be deposited to the credit of the grants and gifts fund.

Publications fee fund (349-00-2297-2000).....No limit

Coronavirus relief fund (349-00-3753-3772).....No limit

Sec. 47.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) On the effective date of this act, of the \$2,760,665 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 41(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the litigation support account (328-00-1000-0510), the sum of \$1,877,651 is hereby lapsed.

(b) On the effective date of this act, of the \$14,043,264 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 41(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the operating expenditures account (328-00-1000-0603), the sum of \$511,427 is hereby lapsed.

(c) On the effective date of this act, of the \$14,639,335 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 41(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the assigned counsel expenditures account (328-00-1000-0700), the sum of \$3,228,319 is hereby lapsed.

(d) On the effective date of this act, of the \$3,104,114 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 41(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the capital defense operations account (328-00-1000-0800), the sum of \$790,935 is hereby lapsed.

Sec. 48.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (328-00-1000-0603).....\$18,057,609

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures for indigents' defense services are authorized to be made from the operating expenditures account regardless of when services were rendered: *Provided further*; That expenditures may be made from the operating

expenditures account for negotiated contracts for malpractice insurance for public defenders and deputy or assistant public defenders: *And provided further*; That all contracts for malpractice insurance for public defenders and deputy or assistant public defenders shall be negotiated and purchased by the state board of indigents' defense services, shall not be subject to approval or purchase by the committee on surety bonds and insurance under K.S.A. 75-4114 and 75-6111, and amendments thereto, and shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto.

Assigned counsel  
expenditures (328-00-1000-0700).....\$13,239,335

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2021, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2022: *Provided further*; That expenditures for indigents' defense services are authorized to be made from the assigned counsel expenditures account regardless of when services were rendered.

Capital defense operations (328-00-1000-0800).....\$3,104,114

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2021, in the capital defense operations account is hereby reappropriated for fiscal year 2022: *Provided further*; That expenditures for indigents' defense services are authorized to be made from the capital defense operations account regardless of when services were rendered.

Legal services for prisoners (328-00-1000-0500).....\$289,592

Indigents' defense  
services operations (328-00-1000-0610).....\$156,847

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2021, in the indigents' defense services operations account is hereby reappropriated for fiscal year 2022: *Provided further*; That expenditures may be made from the indigents' defense services operations account for the purpose of assigned counsel and other professional services related to contract cases.

Litigation support (328-00-1000-0510).....\$2,760,665

*Provided*, That any unencumbered balance in the litigation support account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Capital litigation training  
grant fund (328-00-3211-3211).....No limit

Indigents' defense  
services fund (328-00-2119-2000).....No limit

*Provided*, That expenditures may be made from the indigents' defense services fund for the purpose of assigned counsel and other professional services related to contract cases.

Inservice education workshop  
fee fund (328-00-2186-2100).....No limit

*Provided*, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*, That the state board of indigents' defense services is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*, That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

(c) During the fiscal year ending June 30, 2022, the executive director of the state board of indigents' defense services, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2022, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2022 from the state general fund for the state board of indigents' defense services. The executive director shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) In addition to the other purposes for which expenditures may be made by the state board of indigents' defense services from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 as authorized by this act or other appropriation act of the 2021 regular session of the legislature, expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 to classify public defenders based on the level of cases such public defenders are assigned.

Sec. 49.

JUDICIAL BRANCH

(a) On the effective date of this act, of the \$112,056,817 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 42(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the judiciary operations account (677-00-1000), the sum of \$525,289 is hereby lapsed.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State and community highway safety –  
federal fund (677-00-3815-3815).....No limit

Sec. 50.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Judiciary operations (677-00-1000).....\$114,356,817

*Provided*, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That contracts for computer input of judicial opinions and all purchases thereunder shall not be subject to the provisions of K.S.A. 75-3739, and amendments thereto: *And provided further*; That expenditures may be made from the judiciary operations account for contingencies without limitation at the discretion of the chief justice: *And provided further*; That expenditures from the judiciary operations account for such contingencies shall not exceed \$25,000: *And provided further*; That expenditures from the judiciary operations account for official hospitality shall not exceed \$4,000: *And provided further*; That expenditures shall be made from the judiciary operations account for the travel expenses of panels of the court of appeals for travel to cities across the state to hear appealed cases.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Library report fee fund (677-00-2106-2000).....No limit

State and community highway safety –  
federal fund (677-00-3815-3815).....No limit

Judiciary technology fund (677-00-2272-1800).....No limit

Dispute resolution fund (677-00-2126-3500).....No limit

Judicial branch  
education fund (677-00-2324-1900).....No limit

*Provided*, That expenditures may be made from the judicial branch education fund to provide services and programs for the purpose of educating and training judicial branch officers and employees, administering the training, testing and education of municipal judges as provided in K.S.A. 12-4114, and amendments thereto, educating and training municipal judges and municipal court support staff, and for the planning and implementation of a family court system, as provided by law, including official hospitality: *Provided further*; That the judicial administrator is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*; That such fees may be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*; That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the judicial branch education fund.

Child welfare federal  
grant fund (677-00-3942-3300).....No limit

Child support enforcement contractual agreement fund (677-00-2681-2400).....	No limit
SJI grant fund (677-00-2714-2714).....	No limit
Bar admission fee fund (677-00-2724-2500).....	No limit
Permanent families account – family and children investment fund (677-00-7317-7000).....	No limit
Duplicate law book fund (677-00-2543-2300).....	No limit
Court reporter fund (677-00-2725-2600).....	No limit
Access to justice fund (677-00-2169-2100).....	No limit
Judicial branch nonjudicial salary initiative fund (677-00-2229-2800).....	No limit
Judicial branch nonjudicial salary adjustment fund (677-00-2389-3200).....	No limit
Federal grants fund (677-00-3082-3100).....	No limit
District magistrate judge supplemental compensation fund (677-00-2398-2390).....	No limit
Correctional supervision fund (677-00-2465-2465).....	No limit
Violence against women grant fund – ARRA (677-00-3214-3214).....	No limit
Judicial branch docket fee fund (677-00-2158-2158).....	No limit
Electronic filing and management fund (677-00-2791-2791).....	No limit
Coronavirus emergency supplemental fund (677-00-3671-3671).....	No limit
Coronavirus relief fund (677-00-3753).....	No limit

(c) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$225,000 from the Kansas endowment for youth fund (365-00-7000-2000) to the permanent families account – family and children investment fund (677-00-7317-7000) of the judicial branch.

Sec. 51.

**KANSAS PUBLIC EMPLOYEES  
RETIREMENT SYSTEM**

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas public employees retirement fund (365-00-7002-7000).....No limit

*Provided*, That no expenditures may be made from the Kansas public employees retirement fund other than for benefits, investments, refunds authorized by law, and other purposes specifically authorized by this or other appropriation act.

Kansas public employees deferred compensation fees fund (365-00-2376).....No limit

Group insurance reserve fund (365-00-7358-9200).....No limit

Optional death benefit plan reserve fund (365-00-7357-9100).....No limit

Kansas endowment for youth fund (365-00-7000-2000).....No limit

Senior services trust fund (365-00-7550-7600).....No limit

Family and children endowment account – family and children investment fund (365-00-7010-4000).....No limit

Non-retirement administration fund (365-00-2277).....No limit

*Provided*, That the executive officer of the Kansas public employees retirement system shall certify to the director of accounts and reports the amount of moneys to transfer from the Kansas endowment for youth fund (365-00-7000-2000), the senior services trust fund (365-00-7550-7600), the family and children endowment account – family and children investment fund (365-00-7010-4000) and the unclaimed property account (670-00-7758-7700) of the state general fund for the purpose of reimbursing the costs of non-retirement-related administrative activities and investment-related expenses for managing such funds in accordance with K.S.A. 74-4909b, and amendments thereto.

Coronavirus relief fund (365-00-3753).....No limit

(b) Expenditures may be made from the expense reserve of the Kansas public employees retirement fund (365-00-7002-7000) for the fiscal year ending June 30, 2022, for the following specified purposes:

Agency operations (365-00-7002-7400).....\$22,423,549

*Provided*, That expenditures from the agency operations account may be made for official hospitality.

Investment-related expenses (365-00-7002-8000).....No limit

(c) On July 1, 2021, notwithstanding the provisions of K.S.A. 38-2102, and amendments thereto, the amount prescribed by K.S.A. 38-2102(d)(4), and amendments thereto, to be transferred on July 1, 2021, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby increased to \$51,712,812.

Sec. 52.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (058-00-1000-0103).....\$1,036,042

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$200: *Provided further*; That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the human rights commission to the director of accounts and reports that private moneys are available to match the expenditure of state moneys on a \$1 of private moneys to \$3 of state moneys basis.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State and local fair employment practices –  
federal fund (058-00-3016-3000).....No limit

Conversion of materials and  
equipment fund (058-00-2404-1300).....No limit

Education and training fund (058-00-2282-2000).....No limit

*Provided*, That expenditures may be made from the education and training fund for operating expenditures for the commission's education and training programs for the general public, including official hospitality: *Provided further*; That the executive director is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*; That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Sec. 53.

STATE CORPORATION COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Public service  
regulation fund (143-00-2019-0100).....No limit

Motor carrier license  
fees fund (143-00-2812-5500).....No limit

Conservation fee fund (143-00-2130-2000).....No limit

*Provided*, That any expenditure made from the conservation fee fund for plugging abandoned wells, cleanup of pollution from oil and gas activities and testing of wells shall be in addition to any expenditure limitation imposed on this fund: *Provided further*; That expenditures may be made from this fund for debt collection and set-off administration: *And provided further*; That a percentage of the fees collected, not to exceed 27%, shall be transferred from the conservation fee fund to the accounting services recovery fund (173-00-6105-4010) of the department of administration for services rendered in collection efforts: *And provided further*; That all expenditures made from the conservation fee fund for debt collection and set-off administration shall be in addition to any expenditure limitation imposed on this fund: *And provided further*; That the state corporation commission shall include as part of the fiscal year 2022 budget estimates for the state corporation commission submitted pursuant to K.S.A. 75-3717, and amendments thereto, a three-year projection of receipts to and expenditures from the conservation fee fund for fiscal years 2022, 2023 and 2024.

Natural gas underground storage  
fee fund (143-00-2181-2120).....No limit

Gas pipeline inspection  
fee fund (143-00-2023-1100).....No limit

Special one-call –  
federal fund (143-00-3477-3477).....No limit

Abandoned oil and gas  
well fund (143-00-2143-2100).....No limit

Gas pipeline safety program –  
federal fund (143-00-3632-3000).....No limit

Underground injection control class II –  
federal fund (143-00-3768-3700).....No limit

One call – federal fund (143-00-3633-3120).....No limit

Inservice education workshop  
fee fund (143-00-2316-2300).....No limit

*Provided*, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences conducted by the state corporation commission for staff and members of the state corporation commission: *Provided further*; That the state corporation commission is hereby authorized to fix, charge and collect fees for such inservice workshops and conferences: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for conducting such inservice workshops and conferences: *And provided further*; That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited

to the inservice education workshop fee fund.

Unified carrier registration clearing fund (143-00-9062-9100).....	No limit
Credit card clearing fund (143-00-9401-9400).....	No limit
Suspense fund (143-00-9007-9000).....	No limit
Well plugging assurance fund (143-00-2180-2110).....	No limit
Facility conservation improvement program fund (000-00-2432-2400).....	No limit
Energy grants management fund (000-00-2667-4000).....	No limit
Energy conservation plan – federal fund (000-00-3682-3500).....	No limit
Energy efficiency revolving loan program – ARRA federal fund (000-00-3161-3160).....	No limit

*Provided*, That expenditures may be made from the energy efficiency revolving loan program – ARRA federal fund for the energy efficiency revolving loan program pursuant to vouchers approved by the chairperson of the state corporation commission or by a person or persons designated by the chairperson: *Provided further*, That the state corporation commission is hereby authorized to establish the energy efficiency revolving loan program for the purpose of making loans for energy conservation and other energy-related activities: *And provided further*, That loans under such program shall be made at an interest rate established by the state corporation commission: *And provided further*, That the state corporation commission is hereby authorized to enter into contracts with other state agencies and with persons, as may be necessary, to administer the energy efficiency revolving loan program: *And provided further*, That any person who agrees to receive money from the energy efficiency revolving loan program – ARRA federal fund shall enter into an agreement requiring such person to submit a written report to the state corporation commission detailing and accounting for all expenditures and receipts related to the use of the moneys received from the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That moneys repaid to the energy efficiency revolving loan program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the energy efficiency revolving loan program – ARRA federal fund: *And provided further*, That, on or before the 10<sup>th</sup> day of each month, the director of accounts and reports shall transfer from the state general fund to the energy efficiency revolving loan program – ARRA federal fund interest earnings based on: (1) The average daily balance of repaid moneys in the energy efficiency revolving loan program – ARRA federal fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(b) Expenditures for the fiscal year ending June 30, 2022, by the state corporation commission from the conservation fee fund (143-00-2130-2000) or the abandoned oil and gas well fund (143-00-2143-2100) may be made for the service of independent on-

site supervision of well plugging contracts: *Provided*, That all such expenditures from the conservation fee fund or the abandoned oil and gas well fund for the purpose of plugging of abandoned oil and gas wells during fiscal year 2022 shall be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto, and shall not be exempt from such competitive bidding requirements on the basis of the estimated amount of such purchases.

(c) During the fiscal year ending June 30, 2022, the chairperson of the state corporation commission, with the approval of the director of the budget, may transfer additional moneys from the conservation fee fund (143-00-2130-2000) of the state corporation commission that are in excess of \$800,000 as prescribed by K.S.A. 55-193, and amendments thereto, to the abandoned oil and gas well plugging fund (143-00-2143-2100) of the state corporation commission: *Provided*, That the chairperson of the state corporation commission shall certify each such transfer of additional moneys to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) During the fiscal year ending June 30, 2022, notwithstanding the provisions of any other statute, the chairperson of the state corporation commission, with the approval of the director of the budget, may transfer funds from any special revenue fund or funds of the state corporation commission to any other special revenue fund or funds of the state corporation commission. The chairperson of the state corporation commission shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) Expenditures for the fiscal year ending June 30, 2022, by the state corporation commission from the public service regulation fund (143-00-2019-0100), the motor carrier license fees fund (143-00-2812-5500) and the conservation fee fund (143-00-2130-2000) for official hospitality shall not exceed, in the aggregate, \$2,500.

(f) During the fiscal year ending June 30, 2022, notwithstanding the provisions of K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, or any other statute, all moneys received from civil fines and penalties charged and collected by the state corporation commission under K.S.A. 55-164, 66-138 or 66-1,142b, and amendments thereto, in the conservation fee fund (143-00-2130-2000), the public service regulation fund (143-00-2019-0100) and the motor carrier license fees fund (143-00-2812-5500) shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and deposited in the state treasury and credited to the state general fund.

(g) On July 1, 2021, notwithstanding the provisions of K.S.A. 55-166, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the well plugging assurance fund (143-00-2180-2110) of the state corporation commission to the abandoned oil and gas well fund (143-00-2143-2100) of the state corporation commission.

(h) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the public service regulation fund (143-00-2019-0100) of the state corporation commission to the state general fund.

Sec. 54.

CITIZENS' UTILITY RATEPAYER BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Utility regulatory fee fund (122-00-2030-2000).....\$1,007,590

(b) During the fiscal year ending June 30, 2022, in addition to other purposes for which expenditures may be made by the citizens' utility ratepayer board from the utility regulatory fee fund (122-00-2030-2000) for fiscal year 2022 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2021 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, if the total expenditures authorized to be expended on contracts for professional services by the citizens' utility ratepayer board by the expenditure limitation prescribed by subsection (a) are not expended or encumbered for fiscal year 2021, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2021 may be expended from the utility regulatory fee fund for fiscal year 2022 pursuant to contracts for professional services and any such expenditure for fiscal year 2022 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2022.

Sec. 55.

DEPARTMENT OF ADMINISTRATION

(a) On the effective date of this act, of the \$4,651,305 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 50(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the operating expenditures account (173-00-1000-0200), the sum of \$25,861 is hereby lapsed.

(b) On the effective date of this act, of the \$293,729 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 50(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the long-term care ombudsman account (173-00-1000-0580), the sum of \$964 is hereby lapsed.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Budget stabilization fund (173-00-1600-1600).....No limit

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 70(b) of chapter 5 of the 2020 Session Laws of Kansas, and transferred pursuant to executive reorganization order No. 45, published as chapter 21 of the 2020 Session Laws of Kansas, on the state workers compensation self-insurance fund (173-00-6170-6173) for salaries and wages and other

operating expenditures of the department of administration is hereby increased from \$4,745,908 to \$5,193,506.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 70(b) of chapter 5 of the 2020 Session Laws of Kansas, and transferred pursuant to executive reorganization order No. 45, published as chapter 21 of the 2020 Session Laws of Kansas, on the non-state employer group benefit fund (173-00-7707-7710) of the department of administration is hereby decreased from \$146,244 to \$131,979.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 70(b) of chapter 5 of the 2020 Session Laws of Kansas, and transferred pursuant to executive reorganization order No. 45, published as chapter 21 of the 2020 Session Laws of Kansas, on the dependent care assistance program fund (173-00-7740-7799) for salaries and wages and other operating expenditures of the department of administration is hereby decreased from \$629,413 to \$438,413.

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 70(b) of chapter 5 of the 2020 Session Laws of Kansas, and transferred pursuant to executive reorganization order No. 45, published as chapter 21 of the 2020 Session Laws of Kansas, on the health benefits administration clearing fund – remit admin service org (173-00-7746-7747) for salaries and wages and other operating expenditures of the department of administration is hereby increased from \$11,005,000 to \$11,442,585.

Sec. 56.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (173-00-1000-0200).....\$4,445,476

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$2,000: *Provided further*; That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the operating expenditures account for three employees in the unclassified service under the Kansas civil service act.

Budget analysis (173-00-1000-0520).....\$1,615,339

*Provided*, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, in addition to other positions within the department of administration in the unclassified service as prescribed by law, expenditures may be made from the budget analysis account for eight employees in the unclassified service

under the Kansas civil service act: *And provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

Long-term care ombudsman (173-00-1000-0580).....\$264,919

*Provided*, That any unencumbered balance in the long-term care ombudsman account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That expenditures from this account for official hospitality shall not exceed \$1,000.

KPERS bonds debt service (173-00-1000-0440).....\$64,003,586

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2022, the following:

KPERS bond debt service (173-00-1700-1704).....\$36,114,485

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds or indirect cost recoveries authorized by law shall not exceed the following:

Department of administration  
audit services fund (173-00-2819-2819).....No limit

Budget stabilization fund (173-00-1600-1600).....No limit

Federal cash  
management fund (173-00-2001-2200).....No limit

State leave payment  
reserve fund (173-00-7730-7350).....No limit

Building and ground fund (173-00-2028-2000).....No limit

General fees fund (173-00-2197-2020).....No limit

*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the division of personnel services, including human resources programs and official hospitality: *Provided further*; That the director of personnel services is hereby authorized to fix, charge and collect fees: *And provided further*; That fees shall be fixed in order to recover all or part of the operating expenses incurred, including official hospitality: *And provided further*; That all fees received, including fees received under the open records act for providing access to or furnishing copies of public records, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Human resource information systems cost  
recovery fund (173-00-6103-5700).....No limit

Budget fees fund (173-00-2191-2100).....No limit

*Provided*, That expenditures may be made from the budget fees fund for operating expenditures for the division of the budget, including training programs, special projects

and official hospitality: *Provided further*, That the director of the budget is hereby authorized to fix, charge and collect fees for such training programs: *And provided further*, That fees for such training programs and special projects shall be fixed in order to recover all or part of the operating expenses incurred for such training programs and special projects, including official hospitality: *And provided further*; That all fees received for such training programs and special projects and all fees received by the division of the budget under the open records act for providing access to or furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the budget fees fund.

Purchasing fees fund (173-00-2017-2130).....No limit

*Provided*, That expenditures may be made from the purchasing fees fund for operating expenditures of the division of purchases, including training seminars and official hospitality: *Provided further*, That the director of purchases is hereby authorized to fix, charge and collect fees for operating expenditures incurred to reproduce and disseminate purchasing information, administer vendor applications, administer state contracts and conduct training seminars, including official hospitality: *And provided further*; That such fees shall be fixed in order to recover all or part of such operating expenses: *And provided further*; That all fees received for such operating expenses shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the purchasing fees fund.

Architectural services  
fee fund (173-00-2075-2110).....No limit

*Provided*, That expenditures may be made from the architectural services fee fund for operating expenditures for distribution of architectural information: *Provided further*, That the director of facilities management is hereby authorized to fix, charge and collect fees for reproduction and distribution of architectural information: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for reproducing and distributing architectural information: *And provided further*; That all fees received for such reproduction and distribution of architectural information shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services fee fund.

Budget equipment  
conversion fund (173-00-2434-2090).....No limit

Conversion of materials and  
equipment fund (173-00-2408-2030).....No limit

Architectural services equipment  
conversion fund (173-00-2401-2170).....No limit

Property contingency fund (173-00-2640-2060).....No limit

Flood control emergency –  
federal fund (173-00-3024-3020).....No limit

INK special revenue fund (173-00-2764-2702).....No limit

State buildings

operating fund (173-00-6148-4100).....No limit

*Provided*, That the secretary of administration is hereby authorized to fix, charge and collect a real estate property leasing services fee at a reasonable rate per square foot of space leased by state agencies as approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, to recover the costs incurred by the department of administration in providing services to state agencies relating to leases of real property: *Provided further*; That each state agency that is party to a lease of real property that is approved by the secretary of administration under K.S.A. 75-3765, and amendments thereto, shall remit to the secretary of administration the real estate property leasing services fee upon receipt of the billing therefor: *And provided further*; That all moneys received for real estate property leasing services fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund (173-00-2028-2000), as determined and directed by the secretary of administration: *And provided further*; That the net proceeds from the sale of all or any part of the Topeka state hospital property, as defined by K.S.A. 75-37,123(a), and amendments thereto, shall be deposited in the state treasury and credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration: *And provided further*; That the secretary of administration is hereby authorized to fix, charge and collect a surcharge against all state agency leased square footage in Shawnee county, including both state-owned and privately owned buildings: *And provided further*; That all moneys received for such surcharge shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state buildings operating fund or the building and ground fund, as determined and directed by the secretary of administration.

Accounting services

recovery fund (173-00-6105-4010).....No limit

*Provided*, That expenditures may be made from the accounting services recovery fund for the operating expenditures, including official hospitality, of the department of administration: *Provided further*; That the secretary of administration is hereby authorized to fix, charge and collect fees for services or sales provided by the department of administration that are not specifically authorized by any other statute: *And provided further*; That all fees received for such services or sales shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the accounting services recovery fund.

Architectural services

recovery fund (173-00-6151-5500).....No limit

*Provided*, That expenditures may be made from the architectural services recovery fund for operating expenditures for the division of facilities management: *Provided further*; That the director of facilities management is hereby authorized to fix, charge and collect fees for services provided to other state agencies not directly related to the construction of a capital improvement project: *And provided further*; That all fees received for all such services shall be deposited in the state treasury in accordance with

the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

Motor pool service fund (173-00-6109-4020).....No limit

Intragovernmental printing  
service fund (173-00-6165-9800).....No limit

Intragovernmental printing service depreciation  
reserve fund (173-00-6167-9810).....No limit

Municipal accounting and training services  
recovery fund (173-00-2033-1850).....No limit

*Provided*, That expenditures may be made from the municipal accounting and training services recovery fund to provide general ledger, payroll reporting, utilities billing, data processing, and accounting services to municipalities and to provide training programs conducted for municipal government personnel, including official hospitality: *Provided further*, That the director of accounts and reports is hereby authorized to fix, charge and collect fees for such services and programs: *And provided further*, That such fees shall be fixed to cover all or part of the operating expenditures incurred in providing such services and programs, including official hospitality: *And provided further*, That all fees received for such services and programs, including official hospitality, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the municipal accounting and training services recovery fund.

Canceled warrants  
payment fund (173-00-2645-2070).....No limit

State emergency fund (173-00-2581-2150).....No limit

Bid and contract  
deposit fund (173-00-7609-7060).....No limit

Federal withholding tax  
clearing fund (173-00-7701-7080).....No limit

Financial management system  
development fund (173-00-6135-6130).....No limit

*Provided*, That the secretary of administration may establish fees and make special assessments in order to finance the costs of developing the financial management system: *Provided further*, That all moneys received for such fees and special assessments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial management system development fund.

State gaming revenues fund (173-00-9011-9100).....No limit

Financial management system development  
fund – on budget (173-00-2689-2689).....No limit

Construction defects  
recovery fund (173-00-2632-2615).....No limit

Facilities conservation improvement fund (173-00-8745-4912).....	No limit
State revolving fund services fee fund (173-00-2038-2700).....	No limit
Conversion of materials and equipment – recycling program fund (173-00-2435-2031).....	No limit
Curtis office building maintenance reserve fund (173-00-2010-2190).....	No limit
Equipment lease purchase program administration clearing fund (173-00-8701-8000).....	No limit
Suspense fund (173-00-9075-9220).....	No limit
Electronic funds transfer suspense fund (173-00-9175-9490).....	No limit
Surplus property program fund – on budget (173-00-2323-2300).....	No limit
Surplus property program fund – off budget (173-00-6150-6150).....	No limit
Older Americans act title IIIB long-term care ombudsman federal fund (173-00-3287-3287).....	No limit
Older Americans act title VII long-term care ombudsman federal fund (173-00-3358-3140).....	No limit
Long-term care ombudsman gift and grant fund (173-00-7258-7280).....	No limit
Title XIX – long-term care ombudsman medical assistance program federal fund (173-00-3414-3414).....	No limit
Wireless enhanced 911 grant fund (173-00-2577-2570).....	No limit
Bioscience development fund (173-00-2765-2703).....	No limit
Dwight D Eisenhower statue fund (173-00-7243-7243).....	No limit
Digital imaging program fund (173-00-6121-6121).....	No limit
<i>Provided, That expenditures may be made from the digital imaging program fund for grants to state agencies for digital document imaging projects.</i>	
Cafeteria benefits fund (173-00-7720-7723).....	No limit
State workers compensation self-insurance fund (173-00-6170-6170).....	No limit

*Provided*, That expenditures from the state workers compensation self-insurance fund for the fiscal year ending June 30, 2022, for salaries and wages and other operating expenditures shall not exceed \$4,783,691.

Dependent care assistance  
program fund (173-00-7740-7799).....No limit

*Provided*, That expenditures from the dependent care assistance program fund for the fiscal year ending June 30, 2022, for salaries and wages and other operating expenditures shall not exceed \$439,937.

Non-state employer group  
benefit fund (173-00-7707-7710).....\$133,226

Health benefits administration clearing fund –  
remit admin service org (173-00-7746-7746).....No limit

*Provided*, That expenditures from the health benefits administration clearing fund – remit admin service org for the fiscal year ending June 30, 2022, for salaries and wages and other operating expenditures shall not exceed \$11,215,900.

Health insurance premium  
reserve fund (173-00-7350-7350).....No limit

Coronavirus relief fund (173-00-3753).....No limit

(d) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2022 by this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2022, for the secretary of administration, as part of the system of payroll accounting formulated under K.S.A. 75-5501, and amendments thereto, to establish a payroll deduction plan, for the purpose of allowing insurers, who are authorized to do business in the state of Kansas, to offer to state employees accident, disability, specified disease and hospital indemnity products, which may be purchased by such employees: *Provided, however*, That any such insurer and indemnity product shall be approved by the Kansas state employees health care commission prior to the establishment of such payroll deduction: *Provided*, That upon notification of an employing agency's receipt of written authorization by any state employee, the director of accounts and reports shall make periodic deductions of amounts as specified in such authorization from the salary or wages of such state employee for the purpose of purchasing such indemnity products: *Provided further*, That, subject to the approval of the secretary of administration, the director of accounts and reports may prescribe procedures, limitations and conditions for making payroll deductions pursuant to this section.

(e) On July 1, 2021, the director of accounts and reports shall transfer \$210,000 from the state highway fund to the state general fund for the purpose of reimbursing the state general fund for the cost of providing purchasing services to the department of transportation.

(f) During the fiscal year ending June 30, 2022, the secretary of administration is

hereby authorized to approve refinancing of equipment being financed by state agencies through the department's equipment financing program. Such refinancing project is hereby approved for the purposes of K.S.A. 74-8905(b), and amendments thereto.

(g) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated in any capital improvement account of any special revenue fund or funds or in any capital improvement account of the state general fund for the above agency for fiscal year 2022 by this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made by the above agency from any such capital improvement account of any special revenue fund or funds or any such capital improvement account of the state general fund for fiscal year 2022 for the purpose of making emergency repairs to any facility that is under the charge, care, management or control of the department of administration as provided by law: *Provided*, That the secretary of administration shall make a full report on such repairs and expenditures to the director of the budget and the director of legislative research.

(h) (1) On July 1, 2021, the director of accounts and reports shall record a debit to the state treasurer's receivables for the state economic development initiatives fund and shall record a corresponding credit to the state economic development initiatives fund in an amount certified by the director of the budget that shall be equal to 75% of the amount estimated by the director of the budget to be transferred and credited to the state economic development initiatives fund during the fiscal year ending June 30, 2022, except that such amount shall be proportionally adjusted during fiscal year 2022 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2022. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2022 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2022, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the state economic development initiatives fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the state economic development initiatives fund during fiscal year 2022.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the state economic development initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the state economic development initiatives fund by the state treasurer in accordance with the notice thereof.

(i) (1) On July 1, 2021, the director of accounts and reports shall record a debit to the state treasurer's receivables for the correctional institutions building fund and shall record a corresponding credit to the correctional institutions building fund in an amount certified by the director of the budget that shall be equal to 80% of the amount estimated by the director of the budget to be transferred and credited to the correctional institutions building fund during the fiscal year ending June 30, 2022, except that such amount shall be proportionally adjusted during fiscal year 2022 with respect to any

change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2022. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2022 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2022, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the correctional institutions building fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the correctional institutions building fund during fiscal year 2022.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the correctional institutions building fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the correctional institutions building fund by the state treasurer in accordance with the notice thereof.

(j) During the fiscal year ending June 30, 2022, the secretary of administration, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2022, from the state general fund for the department of administration to another item of appropriation for fiscal year 2022 from the state general fund for the department of administration. The secretary of administration shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(k) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2022, the following:

SIBF – state  
building insurance (173-00-8100-8920).....\$325,000

*Provided*, That, notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the SIBF – state building insurance account of the state institutions building fund for state building insurance premiums.

(l) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2022, the following:

CIBF – state  
building insurance (173-00-8600-8930).....\$400,000

*Provided*, That, notwithstanding the provisions of K.S.A. 76-6b09, and amendments thereto, expenditures may be made by the above agency from the CIBF – state building insurance account of the correctional institutions building fund for state building insurance premiums.

(m) On July 1, 2021, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2022, the director of accounts and reports shall transfer an amount or amounts from the appropriate federal fund or funds of the Kansas department for aging and disability services to the older Americans act title IIIB long-term care

ombudsman federal fund (173-00-3287-3287) of the department of administration: *Provided*, That the aggregate of such amount or amounts transferred during fiscal year 2022 shall be equal to and shall not exceed the older Americans act title VII: ombudsman award and 4.38% of the Kansas older Americans act title III: part B supportive services award.

(n) (1) (A) Prior to August 15, 2021, the state board of regents shall determine and certify to the director of the budget each of the specific amounts from the amounts appropriated from the state general fund or from the moneys appropriated and available in the special revenue funds for each of the regents agencies to be transferred to and debited to the 27<sup>th</sup> payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection: *Provided*, That the aggregate of all such amounts certified to the director of the budget shall be an amount that is equal to or more than \$1,184,054. The certification by the state board of regents shall specify the amount in each account of the state general fund or in each special revenue fund, or account thereof, that is designated by the state board of regents pursuant to this subsection for each of the regents agencies to be transferred to and debited to the 27<sup>th</sup> payroll adjustment account in the state general fund by the director of accounts and reports pursuant to this subsection. At the same time as such certification is transmitted to the director of the budget, the state board of regents shall transmit a copy of such certification to the director of legislative research.

(B) The director of the budget shall review each such certification from the state board of regents and shall certify a copy of each such certification from the state board of regents to the director of accounts and reports. At the same time as such certification is transmitted to the director of accounts and reports, the director of the budget shall transmit a copy of each such certification to the director of legislative research.

(C) On August 15, 2021, in accordance with the certification by the director of the budget that is submitted to the director of accounts and reports under this subsection, the appropriation for fiscal year 2022 for each account of the state general fund, state economic development initiatives fund, state water plan fund and children's initiatives fund that is appropriated or reappropriated for the fiscal year ending June 30, 2022, by this or other appropriation act of the 2021 regular session of the legislature is hereby respectively lapsed by the amount equal to the amount certified under this subsection.

(2) In determining the amounts to be certified to the director of accounts and reports in accordance with this subsection, the director of the budget and the state board of regents shall consider any changed circumstances and unanticipated reductions in expenditures or unanticipated and required expenditures by the regents agencies for fiscal year 2022.

(3) As used in this subsection, "regents agency" means the state board of regents, Fort Hays state university, Kansas state university, Kansas state university extension systems and agriculture research programs, Kansas state university veterinary medical center, Emporia state university, Pittsburg state university, the university of Kansas, the university of Kansas medical center and Wichita state university.

(4) The provisions of this subsection shall not apply to:

(A) Any money held in trust in a trust fund or held in trust in any other special

revenue fund or funds of any regents agency;

(B) any moneys received from any agency or authority of the federal government or from any other federal source, other than any such federal moneys that are credited to or may be received and credited to special revenue funds of a regents agency and that are determined by the state board of regents to be federal moneys that may be transferred to and debited to the 27<sup>th</sup> payroll adjustment account of the state general fund by the director of accounts and reports pursuant to this subsection;

(C) any account of the Kansas educational building fund; or

(D) any fund of any regents agency in the state treasury, as determined by the director of the budget, that would experience financial or administrative difficulties as a result of executing the provisions of this subsection, including, but not limited to, cash-flow problems, the inability to meet ordinary expenditure obligations, or any conflicts with prevailing contracts, compacts or other provisions of law.

(5) Each amount transferred from any special revenue fund of any regents agency to the state general fund pursuant to this subsection is transferred to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services that are performed on behalf of the regents agency involved by other state agencies that receive appropriations from the state general fund to provide such services.

(o) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2022 by this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2022, for the secretary of administration to fix, charge and collect fees for architectural, engineering and management services provided for capital improvement projects of the state board of regents or any state educational institution, as defined by K.S.A. 76-711, and amendments thereto, for which the department of administration provides such services and which are financed in whole or in part by gifts, bequests or donations made by one or more private individuals or other private entities: *Provided*, That such fees for such services are hereby authorized to be fixed, charged and collected in accordance with the provisions of K.S.A. 75-1269, and amendments thereto, notwithstanding any provisions of K.S.A. 75-1269, and amendments thereto, to the contrary: *Provided further*, That all such fees received shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the architectural services recovery fund.

(p) (1) On July 1, 2021, the director of accounts and reports shall record a debit to the state treasurer's receivables for the expanded lottery act revenues fund and shall record a corresponding credit to the expanded lottery act revenues fund in an amount certified by the director of the budget that shall be equal to the amount estimated by the director of the budget to be transferred and credited to the expanded lottery act revenues fund during the fiscal year ending June 30, 2022, except that such amount shall be proportionally adjusted during fiscal year 2022 with respect to any change in the

moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2022. All moneys transferred and credited to the expanded lottery act revenues fund during fiscal year 2022 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2022, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the expanded lottery act revenues fund pursuant to this subsection, to reflect all moneys actually transferred and credited to the expanded lottery act revenues fund during fiscal year 2022.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the expanded lottery act revenues fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the expanded lottery act revenues fund by the state treasurer in accordance with the notice thereof.

(q) (1) On July 1, 2021, the director of accounts and reports shall record a debit to the state treasurer's receivables for the children's initiatives fund and shall record a corresponding credit to the children's initiatives fund in an amount certified by the director of the budget that shall be equal to 50% of the amount estimated by the director of the budget to be transferred and credited to the children's initiatives fund during the fiscal year ending June 30, 2022, except that such amount shall be proportionally adjusted during fiscal year 2022 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2022. Among other appropriate factors, the director of the budget shall take into consideration the estimated and actual receipts and interest earnings of the Kansas endowment for youth fund for fiscal year 2021 and fiscal year 2022 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2022 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2022, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the children's initiatives fund pursuant to this subsection to reflect all moneys actually transferred and credited to the children's initiatives fund during fiscal year 2022.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the children's initiatives fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the children's initiatives fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund shall be made after the reductions and

adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (r) for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund.

(r) (1) On July 1, 2021, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas endowment for youth fund and shall record a corresponding credit to the Kansas endowment for youth fund in an amount certified by the director of the budget that shall be equal to 75% of the amount approved for expenditure by the children's cabinet during the fiscal year ending June 30, 2022, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2022 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2022, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the Kansas endowment for youth fund pursuant to this subsection to reflect all moneys actually transferred and credited to the Kansas endowment for youth fund during fiscal year 2022.

(3) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the Kansas endowment for youth fund pursuant to this subsection and all reductions and adjustments thereto made pursuant to this subsection. The state treasurer shall enter all such amounts debited and credited and shall make reductions and adjustments thereto on the books and records kept and maintained for the Kansas endowment for youth fund by the state treasurer in accordance with the notice thereof.

(4) The reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to this subsection for the Kansas endowment for youth fund to account for moneys actually received that are to be deposited in the state treasury and credited to the Kansas endowment for youth fund shall be made before the reductions and adjustments prescribed to be made by the director of accounts and reports and the state treasurer pursuant to subsection (q) for the children's initiatives fund to account for moneys actually received that are to be transferred and credited to the children's initiatives fund.

Sec. 57.

OFFICE OF INFORMATION  
TECHNOLOGY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Information technology modernization (335-00-1000-0010).....\$1,726,639

(b) On the effective date of this act, of the \$3,400,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 52(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the network remediation account (335-00-1000-0040), the sum of \$13,018 is hereby lapsed.

(c) On the effective date of this act, of the \$4,500,000 appropriated for the above

agency for the fiscal year ending June 30, 2021, by section 52(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the rehabilitation and repair account (335-00-1000-0050), the sum of \$293,559 is hereby lapsed.

Sec. 58.

OFFICE OF INFORMATION  
TECHNOLOGY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Rehabilitation and repair (335-00-1000-0050).....\$4,250,000

*Provided*, That any unencumbered balance in the rehabilitation and repair account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Any unencumbered balance in the information technology modernization account (335-00-1000-0010) of the state general fund in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Information technology fund (335-00-6110-4030).....No limit

*Provided*, That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.

Information technology  
reserve fund (335-00-6147-4080).....No limit

Public safety broadband  
services fund (335-00-2125-2125).....No limit

GIS contracting  
services fund (335-00-2163-2163).....No limit

GIS contracting  
services fund (335-00-6009-6009).....No limit

State and local implementation grant –  
federal fund (335-00-3576-3576).....No limit

Sec. 59.

KANSAS INFORMATION SECURITY OFFICE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall

not exceed the following:

Information technology fund (335-00-6110-4030).....No limit

*Provided*, That any moneys collected from a fee increase for information services recommended by the governor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the information technology fund.

Information technology reserve fund (335-00-6147-4080).....No limit

Sec. 60.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) On the effective date of this act, the expenditure limitation for official hospitality established for the fiscal year ending June 30, 2021, by section 55(a) of chapter 5 of the 2020 Session Laws of Kansas on the administrative hearings office fund (178-00-2582-2584) of the office of administrative hearings is hereby decreased from \$50 to \$20.

Sec. 61.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Administrative hearings office fund (178-00-2582).....No limit

*Provided*, That expenditures from the administrative hearings office fund for official hospitality shall not exceed \$20.

Sec. 62.

STATE BOARD OF TAX APPEALS

(a) On the effective date of this act, of the \$804,259 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 56(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the operations expenditure account (562-00-1000-0103), the sum of \$228,024 is hereby lapsed.

Sec. 63.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency (a) from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (562-00-1000-0103).....\$668,411

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Duplicating fees fund (562-00-2219-2200).....\$5,000

BOTA filing fee fund (562-00-2240-2240).....\$1,235,468

(c) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2022 for the above agency as authorized by this or other appropriation act of the 2021 regular session of the legislature, notwithstanding the provisions of K.S.A. 74-2433, and amendments thereto, or any other statute, expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2022 for a member to continue to serve for a period of 180 days after the expiration of the member's term during fiscal year 2022.

Sec. 64.

DEPARTMENT OF REVENUE

(a) On the effective date of this act, of the \$15,962,196 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 58(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the operating expenditure accounts (565-00-1000-0303), the sum of \$687,547 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 58(b) of chapter 5 of the 2020 Session Laws of Kansas on the division of vehicles operating fund (565-00-2089-2020) of the department of revenue is hereby decreased from \$50,768,614 to \$50,032,100.

Sec. 65.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (565-00-1000-0303).....\$14,443,154

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Sand royalty fund (565-00-2087-2010).....No limit

Division of vehicles

operating fund (565-00-2089-2020).....\$50,832,862

*Provided*, That all receipts collected under authority of K.S.A. 74-2012, and amendments thereto, shall be credited to the division of vehicles operating fund: *Provided further*, That any expenditure from the division of vehicles operating fund of the department of revenue to reimburse the audit services fund (540-00-9204-9000) of the division of post audit for a financial-compliance audit in an amount certified by the legislative post auditor shall be in addition to any expenditure limitation imposed on the division of vehicles operating fund for the fiscal year ending June 30, 2022: *And provided further*, That, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, expenditures may be made from this fund for the administration and operation of the department of revenue.

Vehicle dealers and manufacturers

fee fund (565-00-2189-2030).....No limit

Kansas qualified agricultural ethyl alcohol

producer incentive fund (565-00-2215).....No limit

Division of vehicles

modernization fund (565-00-2390-2390).....No limit

Kansas retail dealer

incentive fund (565-00-2387-2380).....No limit

Conversion of materials and

equipment fund (565-00-2417-2050).....No limit

Forfeited property fee fund (565-00-2428-2200).....No limit

Setoff services revenue fund (565-00-2617-2080).....No limit

Publications fee fund (565-00-2663-2090).....No limit

Child support enforcement contractual

agreement fund (565-00-2683-2110).....No limit

County treasurers' vehicle licensing

fee fund (565-00-2687-2120).....No limit

Tax amnesty recovery fund (565-00-2462-2462).....No limit

Reappraisal

reimbursement fund (565-00-2693-2130).....No limit

*Provided*, That all moneys received for the costs incurred for conducting appraisals for any county shall be deposited in the state treasury and credited to the reappraisal reimbursement fund: *Provided further*, That expenditures may be made from this fund for the purpose of conducting appraisals pursuant to orders of the state board of tax

appeals under K.S.A. 79-1479, and amendments thereto.

Special training fund (565-00-2016-2000).....No limit

*Provided*, That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: *Provided further*; That the secretary of revenue is hereby authorized to fix, charge and collect fees for conferences, training seminars, workshops and examinations sponsored or cosponsored by the department of revenue: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for such conferences, training seminars, workshops and examinations or for qualifying applicants for such conferences, training seminars, workshops and examinations: *And provided further*; That all fees received for conferences, training seminars, workshops and examinations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the special training fund.

Recovery fund for enforcement actions  
and attorney fees (565-00-2021-2060).....No limit

Commercial vehicle information systems/network  
federal fund (565-00-3244-3244).....No limit

Highway planning construction  
federal fund (565-00-3333-3333).....No limit

State and community highway  
safety fund (565-00-3815-3815).....No limit

Microfilming fund (565-00-2281-2270).....No limit

*Provided*, That expenditures may be made from the microfilming fund to operate and maintain a microfilming activity to sell microfilming services to other state agencies: *Provided further*; That all moneys received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilming fund.

Miscellaneous trust  
bonds fund (565-00-7556-5180).....No limit

Liquor excise tax guarantee  
bond fund (565-00-7604-5190).....No limit

Non-resident contractors cash  
bond fund (565-00-7605-5200).....No limit

Bond guaranty fund (565-00-7606-5210).....No limit

Interstate motor fuel user cash  
bond fund (565-00-7616-5220).....No limit

Motor fuel distributor cash  
bond fund (565-00-7617-5230).....No limit

Special county mineral production  
tax fund (565-00-7668-5280).....No limit

County drug tax fund (565-00-7680-5310).....	No limit
Escheat proceeds	
suspense fund (565-00-7753-5290).....	No limit
Privilege tax refund fund (565-00-9031-9300).....	No limit
Suspense fund (565-00-9032-9310).....	No limit
Cigarette tax refund fund (565-00-9033-9330).....	No limit
Motor-vehicle fuel tax	
refund fund (565-00-9035-9350).....	No limit
Cereal malt beverage tax	
refund fund (565-00-9036-9360).....	No limit
Income tax refund fund (565-00-9038-9370).....	No limit
Sales tax refund fund (565-00-9039-9380).....	No limit
Compensating tax	
refund fund (565-00-9040-9390).....	No limit
Alcoholic liquor tax	
refund fund (565-00-9041-9400).....	No limit
Cigarette/tobacco products	
regulation fund (565-00-2294-2190).....	No limit
Motor carrier tax	
refund fund (565-00-9042-9410).....	No limit
Car company tax fund (565-00-9043-9420).....	No limit
Protested motor carrier	
taxes fund (565-00-9044-9430).....	No limit
Tobacco products	
refund fund (565-00-9045-9440).....	No limit
Transient guest tax refund fund (established by K.S.A. 12-1694a) (565-00-9066-9450).....	No limit
Interstate motor fuel taxes	
clearing fund (565-00-9070-9710).....	No limit
Motor carrier permits escrow	
clearing fund (565-00-7581-5400).....	No limit
Transient guest tax refund fund (established by K.S.A. 12-16,100) (565-00-9074-9480).....	No limit
Interstate motor fuel taxes	
refund fund (565-00-9069-9010).....	No limit
Interfund clearing fund (565-00-9096-9510).....	No limit
Local alcoholic liquor	
clearing fund (565-00-9100-9700).....	No limit

International registration plan distribution clearing fund (565-00-9103-9520).....	No limit
Rental motor vehicle excise tax refund fund (565-00-9106-9730).....	No limit
International fuel tax agreement clearing fund (565-00-9072-9015).....	No limit
Mineral production tax refund fund (565-00-9121-9540).....	No limit
Special fuels tax refund fund (565-00-9122-9550).....	No limit
LP-gas motor fuels refund fund (565-00-9123-9560).....	No limit
Local alcoholic liquor refund fund (565-00-9124-9570).....	No limit
Sales tax clearing fund (565-00-9148-9580).....	No limit
Rental motor vehicle excise tax clearing fund (565-00-9187-9640).....	No limit
VIPS/CAMA technology hardware fund (565-00-2244-2170).....	No limit

*Provided, That, notwithstanding the provisions of K.S.A. 74-2021, and amendments thereto, or of any other statute, expenditures may be made from the VIPS/CAMA technology hardware fund for the purposes of upgrading the VIPS/CAMA computer hardware and software for the state or for the counties and for administration and operation of the department of revenue.*

County and city retailers sales tax clearing fund – county and city sales tax (565-00-9190-9610).....	No limit
City and county compensating use tax clearing fund (565-00-9191-9620).....	No limit
County and city transient guest tax clearing fund (565-00-9192-9630).....	No limit
Automated tax systems fund (565-00-2265-2265).....	No limit
Dyed diesel fuel fee fund (565-00-2286-2280).....	No limit
Electronic databases fee fund (565-00-2287-2180).....	No limit

*Provided, That, notwithstanding the provisions of K.S.A. 74-2022, and amendments thereto, or any other statute, expenditures may be made from the electronic databases fee fund for the purposes of operating expenditures, including expenditures for capital outlay; of operating, maintaining or improving the vehicle information processing system (VIPS), the Kansas computer assisted mass appraisal system (CAMA) and other electronic database systems of the department of revenue, including the costs incurred to provide access to or to furnish copies of public records in such database systems and for the administration and operation of the department of revenue.*

Photo fee fund (565-00-2084-2140).....No limit

*Provided, That, notwithstanding the provisions of K.S.A. 2020 Supp. 8-299, and amendments thereto, or any other statute, expenditures may be made from the photo fee fund for administration and operation of the driver license program and related support operations in the division of administration of the department of revenue, including costs of administering the provisions of K.S.A. 8-240, 8-243, 8-267, 8-1324 and 8-1325, and amendments thereto, relating to drivers licenses, instruction permits and identification cards.*

Estate tax abatement  
refund fund (565-00-9082-9501).....No limit

Distinctive license plate fund (565-00-2232-2230).....No limit

Repossessed certificates of title  
fee fund (565-00-2015-2070).....No limit

Hazmat fee fund (565-00-2365-2300).....No limit

Intra-governmental  
service fund (565-00-6132-6101).....No limit

Community improvement district sales tax  
administration fund (565-00-7675-5300).....No limit

Community improvement district sales tax  
refund fund (565-00-9049-9455).....No limit

Community improvement district sales tax  
clearing fund (565-00-9189-9655).....No limit

Drivers license first responders indicator  
federal fund (565-00-3179-3179).....No limit

Enforcing underage drinking  
federal fund (565-00-3219-3219).....No limit

FDA tobacco program  
federal fund (565-00-3330-3330).....No limit

Commercial vehicle administrative  
system fund (565-00-2098-2098).....No limit

State charitable gaming  
regulation fund (565-00-2381-2385).....No limit

Charitable gaming  
refund fund (565-00-9001-9001).....No limit

Commercial driver's license drive test  
fee fund (565-00-2816-2816).....No limit

DUI-IID designation fund (565-00-2380-2370).....No limit

MSA compliance fund (565-00-2274-2274).....No limit

Alcoholic beverage control

modernization fund (565-00-2299-2299).....No limit  
 Native American veterans' income tax refund fund.....No limit  
 Fleet rental vehicle administration fund (565-00-2799-2799).....No limit  
 Fleet rental vehicle clearing fund (565-00-9089-9089).....No limit

(c) On July 1, 2021, October 1, 2021, January 1, 2022, and April 1, 2022, the director of accounts and reports shall transfer \$12,200,132 from the state highway fund (276-00-4100-4100) of the department of transportation to the division of vehicles operating fund (565-00-2089-2020) of the department of revenue for the purpose of financing the cost of operation and general expense of the division of vehicles and related operations of the department of revenue.

(d) On August 1, 2021, the director of accounts and reports shall transfer \$77,250 from the accounting services recovery fund (173-00-6105-4010) of the department of administration to the setoff services revenue fund (565-00-2617-2080) of the department of revenue for reimbursing costs of recovering amounts owed to state agencies under K.S.A. 75-6201 et seq., and amendments thereto.

(e) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2022, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$500,000 to the digital imaging program fund (173-00-6121-6121) of the department of administration.

(f) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2022, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the criminal justice information system line fund (083-00-2457-2400) of the attorney general – Kansas bureau of investigation.

(g) Notwithstanding the provisions of K.S.A. 8-145, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2022, the state treasurer shall credit \$1 of each division of vehicles modernization surcharge collected and remitted to the secretary of revenue in an amount not to exceed \$1,000,000 to the division of vehicles modernization fund (565-00-2390-2390) of the department of revenue.

(h) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,220,688 from the Kansas endowment for youth fund (365-00-7000-2000) to the MSA compliance fund (565-00-2274-2274) of the department of revenue.

Sec. 66.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by section 59(b) of chapter 5 of the 2020 Session Laws of Kansas to be transferred from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) during the fiscal year ending June 30, 2021, is hereby decreased from

\$76,900,000 to \$69,390,000.

Sec. 67.

KANSAS LOTTERY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

- Lottery prize payment fund (450-00-7381).....No limit
- Lottery operating fund (450-00-5123).....No limit
- Provided*, That expenditures from the lottery operating fund for official hospitality shall not exceed \$5,000.
- Expanded lottery receipts fund (450-00-5128).....No limit
- Lottery gaming facility  
manager fund (450-00-5129-5150).....No limit
- Expanded lottery act  
revenues fund (450-00-5127-5120).....\$0

(b) Notwithstanding the provisions of K.S.A. 74-8711, and amendments thereto, and subject to the provisions of this subsection: (1) An amount of not less than \$2,300,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before July 15, 2021; and (2) an amount of not less than \$4,700,000 shall be certified by the executive director of the Kansas lottery to the director of accounts and reports on or before August 15, 2021, and on or before the 15<sup>th</sup> of each month thereafter through June 15, 2022: *Provided*, That, upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) and shall credit such amount to the state gaming revenues fund (173-00-9011-9100) for the fiscal year ending June 30, 2022: *Provided, however*; That, after the date that an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2022 pursuant to this subsection, the executive director of the Kansas lottery shall continue to certify amounts to the director of accounts and reports on or before the 15<sup>th</sup> of each month through June 15, 2022, except that the amounts certified after such date shall not be subject to the minimum amount of \$4,700,000: *Provided further*; That the amounts certified by the executive director of the Kansas lottery to the director of accounts and reports, after the date an amount of \$54,000,000 has been transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2022 pursuant to this subsection, shall be determined by the executive director so that an aggregate of all amounts certified pursuant to this subsection for fiscal year 2022 is equal to or more than \$69,590,000: *And provided further*; That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2022 pursuant to this subsection shall be equal to or more than \$69,590,000: *And provided further*; That the transfers prescribed by this subsection shall be the maximum amount

possible while maintaining an adequate cash balance necessary to make expenditures for prize payments and operating costs: *And provided further*, That the transfers prescribed in this subsection shall include the total profit attributed to the special veterans benefit game under K.S.A. 74-8724, and amendments thereto: *And provided further*, That the transfers prescribed by this subsection shall be made in lieu of transfers under K.S.A. 74-8711(d), and amendments thereto, for fiscal year 2022.

(c) In addition to the purposes for which expenditures of moneys in the lottery operating fund (450-00-5123-5100) may be made, as authorized by provisions of K.S.A. 74-8711, and amendments thereto, in fiscal year 2022, moneys in the lottery operating fund may be used for payment of all costs incurred in the operation and administration of the Kansas lottery, the Kansas lottery act and the Kansas expanded lottery act.

(d) Notwithstanding the provisions of K.S.A. 74-8724, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2022, the director of accounts and reports shall transfer from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) the amount of total profit attributed to the veterans benefits game pursuant to K.S.A. 74-8724, and amendments thereto, during fiscal year 2022: *Provided*, That, the transfer to the veterans benefit lottery game fund (694-00-2303-2303) of the Kansas commission on veterans affairs office for the fiscal year ending June 30, 2022, authorized by section 49(f) represents the total profits derived from the veterans benefits game pursuant to K.S.A. 74-8724, and amendments thereto: *Provided further*, That on or before August 1, 2022, the executive director of the lottery shall report the amount of total profit attributed to the veterans benefits game pursuant to K.S.A. 74-8724, and amendments thereto, during fiscal year 2022 to the director of the budget and the director of legislative research.

Sec. 68.

KANSAS RACING AND GAMING COMMISSION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State racing fund (553-00-5131-5000).....	No limit
Racing reimbursable expense fund (553-00-2616-2600).....	No limit
Racing applicant deposit fund (553-00-7383-7000).....	No limit
Kansas horse breeding development fund (553-00-2516-2300).....	No limit
Kansas greyhound breeding development fund (553-00-2601-2500).....	No limit

*Provided*, That notwithstanding K.S.A. 74-8831, and amendments thereto, all moneys transferred into this fund pursuant to K.S.A. 74-8767(b), and amendments thereto, shall be deposited to a separate account established for the purpose described in this proviso and moneys in this account shall be expended only to supplement special stake races and to enhance the amount per point paid to owners of Kansas-whelped greyhounds that win live races at Kansas greyhound tracks and pursuant to rules and regulations adopted by the Kansas racing and gaming commission: *Provided further*; That transfers from this account to the live greyhound racing purse supplement fund may be made in accordance with K.S.A. 74-8767(b), and amendments thereto.

Racing investigative  
expense fund (553-00-2570-2400).....No limit

Horse fair racing  
benefit fund (553-00-2296-3000).....No limit

Tribal gaming fund (553-00-2320-3700).....No limit

*Provided*, That expenditures from the tribal gaming fund for official hospitality shall not exceed \$1,000.

Expanded lottery regulation fund (553-00-2535).....No limit

*Provided*, That expenditures from the expanded lottery regulation fund for official hospitality shall not exceed \$1,500.

Live horse racing purse  
supplement fund (553-00-2546-2800).....No limit

Live greyhound racing purse  
supplement fund (553-00-2557-2900).....No limit

Greyhound promotion and  
development fund (553-00-2561-3100).....No limit

Gaming background  
investigation fund (553-00-2682-2680).....No limit

Gaming machine  
examination fund (553-00-2998-2990).....No limit

Education and training fund (553-00-2459-2450).....No limit

*Provided*, That expenditures may be made from the education and training fund for operating expenditures, including official hospitality, incurred for hosting or providing training, in-service workshops and conferences: *Provided further*; That the Kansas racing and gaming commission is hereby authorized to fix, charge and collect fees for hosting or providing training, in-service workshops and conferences: *And provided further*; That such fees shall be fixed in order to recover all or part of the operating expenditures incurred for hosting or providing such training, in-service workshops and conferences: *And provided further*; That all fees received for hosting or providing such training, in-service workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the education and training fund.

Illegal gambling

enforcement fund (553-00-2734-2690).....No limit

*Provided*, That expenditures may be made from the illegal gambling enforcement fund for direct or indirect operating expenditures incurred for investigatory seizure and forfeiture activities, including, but not limited to: (1) Conducting investigations of illegal gambling operations or activities; (2) participating in illegal gaming in order to collect or purchase evidence as part of an undercover investigation into illegal gambling operations; and (3) acquiring information or making contacts leading to illegal gaming activities: *Provided, however*; That all moneys that are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and that are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund: *Provided further*; That any moneys received or awarded to the Kansas racing and gaming commission for such enforcement activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the illegal gambling enforcement fund.

(b) On July 1, 2021, the director of accounts and reports shall transfer \$450,000 from the state general fund to the tribal gaming fund (553-00-2320-3700) of the Kansas racing and gaming commission.

(c) During the fiscal year ending June 30, 2022, the director of accounts and reports shall transfer one or more amounts certified by the executive director of the state gaming agency from the tribal gaming fund to the state general fund: *Provided*, That all such transfers shall be for the purpose of reimbursing the state general fund for the amount equal to the net amount obtained by subtracting (1) the aggregate of any costs incurred by the state gaming agency during fiscal year 2022 for any arbitration or litigation in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act, from (2) the aggregate of the amounts transferred to the tribal gaming fund (553-00-2320-3700) of the Kansas racing and gaming commission during fiscal year 2022 for the operating expenditures for the state gaming agency and any other expenses incurred in connection with the administration and enforcement of tribal-state gaming compacts or the provisions of the tribal gaming oversight act.

(d) During the fiscal year ending June 30, 2022, all payments for services provided by the Kansas bureau of investigation shall be paid by the Kansas racing and gaming commission in accordance with K.S.A. 75-5516(b), and amendments thereto, pursuant to bills that are presented in a timely manner by the Kansas bureau of investigation for services rendered.

(e) In addition to the other purposes for which expenditures may be made from the moneys appropriated in the tribal gaming fund (553-00-2320-3700) for fiscal year 2022 for the Kansas racing and gaming commission by this or other appropriation act of the 2021 regular session of the legislature, expenditures, which are hereby authorized, may be made from the tribal gaming fund for fiscal year 2022 for the state gaming agency regulatory oversight of class III gaming, including, but not limited to, the regulatory oversight and law enforcement activities of monitoring compliance with tribal-state

gaming compacts and conducting investigations of violations of tribal-state gaming compacts, investigations of criminal violations of the laws of this state at tribal gaming facilities, criminal violations of the tribal gaming oversight act, background investigations of applicants and vendors and investigations of other criminal activities related to tribal gaming.

(f) Notwithstanding the provisions of K.S.A. 74-8831, and amendments thereto, or any other statute, the director of accounts and reports shall not make the transfer from the Kansas greyhound breeding development fund (553-00-2601-2500) of the Kansas racing and gaming commission to the greyhound tourism fund of the Kansas department of wildlife and parks that is directed to be made on or before June 30, 2022, by K.S.A. 74-8831(b)(1), and amendments thereto, and shall transfer on or before June 30, 2022, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2022, from the Kansas greyhound breeding development fund to the greyhound promotion and development fund (553-00-2561-3100) of the Kansas racing and gaming commission.

(g) During the fiscal year ending June 30, 2022, notwithstanding the provisions of any other statute, the Kansas racing and gaming commission is hereby authorized to fix, charge and collect additional fees to recover all or part of the direct and indirect costs or operating expenses incurred or expected to be incurred by the Kansas racing and gaming commission for the regulation of racing activities that are not otherwise recovered from a parimutuel facility licensee under authority of any other statute: *Provided*, That such fees shall be in addition to all taxes and other fees otherwise authorized by law: *Provided further*, That such costs or operating expenses shall include all or part of any auditing, drug testing, accounting, security and law enforcement, licensing of any office or other facility for use by a parimutuel facility licensee or projects to update and upgrade information technology software or facilities of the commission and shall specifically include any general operating expenses that are associated with regulatory activities attributable to the entity upon which any such fee is imposed and all expenses related to reopening any race track or other racing facility: *And provided further*, That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the state racing fund (553-00-5131-5000).

Sec. 69.

#### DEPARTMENT OF COMMERCE

(a) On the effective date of this act, of the \$11,877,926 reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 61(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the KBA grants commitments account (300-00-1000-800), the sum of \$1,292,926 is hereby lapsed.

(b) On the effective date of this act, of the \$8,383,532 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 61(b) of chapter 5 of the 2020 Session Laws of Kansas from the state economic development initiatives fund in the operating grant (including official hospitality) account (300-00-1900-1110), the sum of \$24,695 is hereby lapsed.

(c) On the effective date of this act, of the \$503,164 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 61(b) of chapter 5 of the 2020 Session Laws of Kansas from the state economic development initiatives fund in the older Kansans employment program account (300-00-1900-1140), the sum of \$32 is hereby lapsed.

(d) On the effective date of this act, of the \$1,008,583 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 61(b) of chapter 5 of the 2020 Session Laws of Kansas from the state economic development initiatives fund in the rural opportunity zones program account (300-00-1900-1150), the sum of \$231 is hereby lapsed.

(e) On the effective date of this act, of the \$7,941 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 61(b) of chapter 5 of the 2020 Session Laws of Kansas from the state economic development initiatives fund in the senior community service employment program account (300-00-1900-1160), the sum of \$2 is hereby lapsed.

(f) On the effective date of this act, of the \$195,880 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 61(b) of chapter 5 of the 2020 Session Laws of Kansas from the state economic development initiatives fund in the strong military bases program account (300-00-1900-1170), the sum of \$29 is hereby lapsed.

(g) On the effective date of this act, of the \$502,084 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 61(b) of chapter 5 of the 2020 Session Laws of Kansas from the state economic development initiatives fund in the creative arts industries commission account (300-00-1900-1188), the sum of \$113 is hereby lapsed.

(h) On the effective date of this act, notwithstanding the provisions of K.S.A. 79-4804, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$45,245 from the state economic development initiatives fund (300-00-1900-1100) to the state general fund.

(i) During the fiscal year ending June 30, 2021, upon certification by the secretary of commerce to the director of accounts and reports and the director of the budget that the unencumbered balance of the KBA grant commitments account of the state general fund is insufficient to pay an amount necessary to meet the contractual obligation for fiscal year 2021, and upon approval of the director of the budget, the director of accounts and reports shall transfer an amount equal to such certified amount from the state general fund to the KBA grant commitments account of the state general fund of the department of commerce: *Provided*, That the secretary shall transmit a copy of each such certification to the director of legislative research at the same time that the secretary submits a certification to the director of accounts and reports and the director of the budget.

(j) During the fiscal year ending June 30, 2021, notwithstanding the provisions of the Kansas public broadcasting council act, K.S.A. 75-4912 through 75-4926, and amendments thereto, or any other statute, the above agency shall not expend any moneys appropriated for fiscal year 2021 from the state economic development

initiatives fund or from any special revenue fund or funds of such agency by chapter 5 of the 2020 Session Laws of Kansas, this or other appropriation act of the 2021 regular session of the legislature to any public broadcasting station that moved to a different location or has a plan to move to a different location, approved by the board of directors or management of such public broadcasting station, during such fiscal year.

Sec. 70.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Tourism operating expenditures (300-00-1000).....\$10,000

Any unencumbered balance in excess of \$100 as of June 30, 2021, in the KBA grant commitments account of the state general fund is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2022, the following:

Main street program (300-00-1900-1175).....\$825,000

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2021, in the main street program account is hereby reappropriated for fiscal year 2022.

Older Kansans

employment program (300-00-1900-1140).....\$503,164

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2021, in the older Kansans employment program account is hereby reappropriated for fiscal year 2022.

Rural opportunity

zones program (300-00-1900-1150).....\$1,008,583

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2021, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2022.

Senior community service

employment program (300-00-1900-1160).....\$7,941

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2021, in the senior community service employment program account is hereby reappropriated for fiscal year 2022.

Strong military

bases program (300-00-1900-1170).....\$195,880

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2021, in the strong military bases program account is hereby reappropriated for fiscal year 2022.

Governor's council of

economic advisors (300-00-1900-1185).....\$193,795

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2021, in the governor's council of economic advisors account is hereby reappropriated for fiscal year 2022.

Creative arts industries  
commission (300-00-1900-1188).....\$502,084

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2021, in the creative arts industries commission account is hereby reappropriated for fiscal year 2022.

Operating grant (including  
official hospitality) (300-00-1900-1110).....\$8,383,532

*Provided*, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That expenditures may be made from the operating grant (including official hospitality) account for certified development companies that have been determined to be qualified for grants by the secretary of commerce, except that expenditures for such grants shall not be made for grants to more than 10 certified development companies that have been determined to be qualified for grants by the secretary of commerce.

Public broadcasting grants (300-00-1900-1190).....\$500,000

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2021, in the public broadcasting grants account is hereby reappropriated for fiscal year 2022.

Build up Kansas (300-00-1900-1230).....\$125,000

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2021, in the build up Kansas account is hereby reappropriated for fiscal year 2022.

Community development (300-00-1900-1240).....\$644,061

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2021, in the community development account is hereby reappropriated for fiscal year 2022.

International trade (300-00-1900-1250).....\$203,771

*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2021, in the international trade account is hereby reappropriated for fiscal year 2022.

Travel and tourism operating expenditures (300-00-1900).....\$1,701,576

*Provided*, That expenditures from this account for official hospitality shall not exceed \$4,000: *Provided further*, That expenditures in the amount of \$100,000 shall be made from this account during the fiscal year ending June 30, 2022, for the purposes of educating farmers and ranchers about leasing, hunting and other agritourism possibilities and to assist in diversifying farm or ranch operations with agritourism business: *And provided further*, That the above agency shall submit a report to the house agriculture and natural resources budget committee on or before February 15, 2022, detailing the agency's efforts to educate and assist farmers and ranchers on agritourism possibilities.

(c) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Job creation program fund (300-00-2467-2467).....	No limit
Kan-grow engineering fund – KU (300-00-2494-2494).....	\$3,500,000
Kan-grow engineering fund – KSU (300-00-2494-2495).....	\$3,500,000
Kan-grow engineering fund – WSU (300-00-2494-2496).....	\$3,500,000
Kansas creative arts industries commission special gifts fund (300-00-7004-7004).....	No limit
Governor's council of economic advisors private operations fund (300-00-2761-2701).....	No limit
Publication and other sales fund (300-00-2048).....	No limit
Conversion of equipment and materials fund (300-00-2411-2220).....	No limit
Conference registration and disbursement fund (300-00-2049).....	No limit
Reimbursement and recovery fund (300-00-2275).....	No limit
Community development block grant – federal fund (300-00-3669).....	No limit
National main street center fund (300-00-7325-7000).....	No limit
IMPACT program services fund (300-00-2176).....	No limit
IMPACT program repayment fund (300-00-7388).....	No limit
Kansas partnership fund (300-00-7525-7020).....	No limit
Publication and other sales fund (300-00-2399-2399).....	No limit

*Provided*, That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2022, expenditures may be made from such fund for the purpose of compensating federal aid program expenditures, if necessary, in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2022: *And provided further*, That the secretary of commerce shall report all such expenditures to the governor and legislature as appropriate.

General fees fund (300-00-2310).....	No limit
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*Provided*, That expenditures may be made from the general fees fund for loans

pursuant to loan agreements, which are hereby authorized to be entered into by the secretary of commerce in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary therefor under programs of the department.

Athletic fee fund (300-00-2599-2500).....	No limit
WIOA adult – federal fund (300-00-3270).....	No limit
WIOA youth activities – federal fund (300-00-3039).....	No limit
WIOA dislocated workers – federal fund (300-00-3428).....	No limit
Trade adjustment assistance – federal fund (300-00-3273).....	No limit
Disabled veterans outreach program – federal fund (300-00-3274-3242).....	No limit
Local veterans employment representative program – federal fund (300-00-3274-3240).....	No limit
Wagner Peyser employment services – federal fund (300-00-3275).....	No limit
Senior community service employment program – federal fund (300-00-3100-3510).....	No limit
Indirect cost – federal fund (300-00-2340-2300).....	No limit
Temporary labor certification foreign workers – federal fund (300-00-3448).....	No limit
Work opportunity tax credit – federal fund (300-00-3447-3447).....	No limit
American job link alliance – federal fund (300-00-3100-3516).....	No limit
American job link alliance job corps – federal fund (300-00-3100-3512).....	No limit
Child care/development block grant – federal fund (300-00-3028-3028).....	No limit
Enterprise facilitation fund (300-00-2378-2710).....	No limit
Unemployment insurance – federal fund (300-00-3335).....	No limit
State small business credit initiative – federal fund (300-00-3567).....	No limit
Creative arts industries commission gifts, grants and bequests – federal fund (300-00-3210-3218).....	No limit

Kansas creative arts industries commission checkoff fund (300-00-2031-2031).....	No limit
Workforce data quality initiative – federal fund (300-00-3237-3237).....	No limit
AJLA special revenue fund (300-00-2190-2190).....	No limit
RETAIN extension – federal fund (300-00-3770).....	No limit
Coronavirus relief fund – federal fund (300-00-3753).....	No limit
Workforce innovation – federal fund (300-00-3581).....	No limit
Reemployment connections initiative – federal fund (300-00-3585).....	No limit
SBA STEP grant – federal fund (300-00-3573-3573).....	No limit
Apprenticeship USA state – federal fund (300-00-3949).....	No limit
Kansas health profession opportunity project – federal fund (300-00-3951).....	No limit
Second chance grant – federal fund (300-00-3895).....	No limit
H-1B technical skills training grant – federal fund (300-00-3400).....	No limit
State broadband data development grant – federal fund (300-00-3782-3700).....	No limit
Transition assistance program grant – federal fund (300-00-3451-3451).....	No limit

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2022, for: (1) The provision and administration of conferences held for the purposes of programs and activities of the department of commerce and for which fees are not specifically prescribed by statute; (2) sale of publications of the department of commerce and for sale of educational and other promotional items and for which fees are not specifically prescribed by statute; and (3) promotional and other advertising and related economic development activities and services provided under economic development programs and activities of the department of commerce: *Provided*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services, conferences, publications and items, advertising and other economic development activities and services provided under economic development programs and activities of the department of commerce for which fees are not specifically prescribed by statute: *Provided further*, That all such fees shall be deposited in the state treasury in accordance

with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to one or more special revenue fund or funds of the department of commerce as specified by the secretary of commerce: *And provided further*, That expenditures may be made from such special revenue fund or funds of the department of commerce for fiscal year 2022, in accordance with the provisions of this or other appropriation act of the 2021 regular session of the legislature, for operating expenses incurred in providing such services, conferences, publications and items, advertising, programs and activities and for operating expenses incurred in providing similar economic development activities and services provided under economic development programs and activities of the department of commerce.

(e) In addition to the other purposes for which expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2022 for the department of commerce as authorized by this or other appropriation act of the 2021 regular session of the legislature, notwithstanding the provisions of any other statute, expenditures may be made by the department of commerce from moneys appropriated in any special revenue fund or funds for fiscal year 2022 for official hospitality.

(f) During the fiscal year ending June 30, 2022, the secretary of commerce, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2022, from the state economic development initiatives fund for the department of commerce to another item of appropriation for fiscal year 2022 from the state economic development initiatives fund for the department of commerce. The secretary of commerce shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) Notwithstanding the provisions of K.S.A. 79-4804, and amendments thereto, or any other statute, on July 1, 2021, the director of accounts and reports shall transfer \$15,080,736 from the state economic development initiatives fund (300-00-1900-1100) to the state general fund.

(h) During the fiscal year ending June 30, 2022, upon certification by the secretary of commerce to the director of accounts and reports and the director of the budget that the unencumbered balance of the KBA grant commitments account of the state general fund is insufficient to pay an amount necessary to meet contractual obligations for fiscal year 2022, and upon approval of the director of the budget, the director of accounts and reports shall transfer an amount equal to such certified amount from the state general fund to the KBA grant commitments account of the state general fund of the department of commerce: *Provided*, That the secretary shall transmit a copy of each such certification to the director of legislative research at the same time that the secretary submits a certification to the director of accounts and reports and the director of the budget.

(i) During the fiscal year ending June 30, 2022, notwithstanding the provisions of the Kansas public broadcasting council act, K.S.A. 75-4912 through 75-4926, and amendments thereto, or any other statute, the above agency shall not expend any moneys appropriated for fiscal year 2022 from the state economic development initiatives fund or from any special revenue fund or funds of such agency by this or

other appropriation act of the 2021 or 2022 regular session of the legislature to any public broadcasting station that moved to a different location or has a plan to move to a different location, approved by the board of directors or management of such public broadcasting station, during such fiscal year.

Sec. 71.

DEPARTMENT OF COMMERCE

(a) During the fiscal year ending June 30, 2023, notwithstanding the provisions of the Kansas public broadcasting council act, K.S.A. 75-4912 through 75-4926, and amendments thereto, or any other statute, the above agency shall not expend any moneys appropriated for fiscal year 2023 from the state economic development initiatives fund or from any special revenue fund or funds of such agency by this or other appropriation act of the 2021, 2022 or 2023 regular session of the legislature to any public broadcasting station that moved to a different location or has a plan to move to a different location, approved by the board of directors or management of such public broadcasting station, during such fiscal year.

Sec. 72.

DEPARTMENT OF COMMERCE

(a) During the fiscal year ending June 30, 2024, notwithstanding the provisions of the Kansas public broadcasting council act, K.S.A. 75-4912 through 75-4926, and amendments thereto, or any other statute, the above agency shall not expend any moneys appropriated for fiscal year 2024 from the state economic development initiatives fund or from any special revenue fund or funds of such agency by this or other appropriation act of the 2021, 2022, 2023 or 2024 regular session of the legislature to any public broadcasting station that moved to a different location or has a plan to move to a different location, approved by the board of directors or management of such public broadcasting station, during such fiscal year.

Sec. 73.

KANSAS HOUSING RESOURCES CORPORATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State housing trust fund (175-00-7370-7000).....No limit

*Provided*, That all expenditures from the state housing trust fund shall be made by the Kansas housing resources corporation for the purposes of administering and supporting housing programs of the Kansas housing resources corporation.

Sec. 74.

DEPARTMENT OF LABOR

(a) On the effective date of this act, of the \$1,191,921 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 64(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the operating expenditures account (296-00-1000-0503), the sum of \$157 is hereby lapsed.

(b) On the effective date of this act, the director of accounts and reports shall transfer \$11,556 from the operating expenditures account (296-00-1000-0503) of the state general fund to the amusement ride safety account (296-00-1000-0513) of the state general fund.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 134(d) of chapter 5 of the 2020 Session Laws of Kansas on the workmen's compensation fee fund (296-00-2124-2228) of the department of labor for capital improvement purposes is hereby increased from \$885,000 to \$1,345,000.

Sec. 75.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency (a) from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (296-00-1000-0503).....\$1,035,455

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That in addition to the other purposes for which expenditures may be made by the above agency from this account for the fiscal year ending June 30, 2022, expenditures may be made from this account for the costs incurred for court reporting under K.S.A. 72-2218 et seq. and 75-4321 et seq., and amendments thereto: *And provided further*, That expenditures from this account for official hospitality by the secretary of labor shall not exceed \$2,000.

Amusement ride safety (296-00-1000-0513).....\$270,731

*Provided*, That any unencumbered balance in the amusement ride safety account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Workmen's compensation  
fee fund (296-00-2124-2220).....\$13,003,257

Occupational health and safety –  
federal fund (296-00-3339-3210).....No limit

Employment security interest  
assessment fund (296-00-2771-2700).....No limit

Special employment

security fund (296-00-2120-2000).....	No limit
Employment security	
administration fund (296-00-3335-3100).....	No limit
Wage claims assignment	
fee fund (296-00-2204-2240).....	No limit
Department of labor special	
projects fund (296-00-2041-2105).....	No limit
Federal indirect cost	
offset fund (296-00-2302-2280).....	No limit
<i>Provided, That, notwithstanding the provisions of K.S.A. 44-716a, and amendments thereto, or any statute to the contrary, during fiscal year 2022, the secretary of labor, with the approval of the director of the budget, may transfer from the special employment security fund of the Kansas department of labor to the department of labor federal indirect cost offset fund the portion of such amount that is determined necessary to be in compliance with the employment security law: Provided further, That, upon approval of any such transfer by the director of the budget, notification will be provided to the Kansas legislative research department.</i>	
Employment security fund (296-00-7056-7200).....	No limit
Labor force statistics	
federal fund (296-00-3742-3742).....	No limit
Compensation and working conditions	
federal fund (296-00-3743-3743).....	No limit
Employment services Wagner-Peyser funded	
activities federal fund (296-00-3275-3275).....	No limit
Dispute resolution fund (296-00-2587-2270).....	No limit
<i>Provided, That all moneys received by the secretary of labor for reimbursement of expenditures for the costs incurred for mediation under K.S.A. 72-2232, and amendments thereto, and for fact-finding under K.S.A. 72-2233, and amendments thereto, shall be deposited in the state treasury and credited to the dispute resolution fund: Provided further, That expenditures may be made from this fund to pay the costs incurred for mediation under K.S.A. 72-2232, and amendments thereto, and for fact-finding under K.S.A. 72-2233, and amendments thereto, subject to full reimbursement therefor by the board of education and the professional employees' organization involved in such mediation and fact-finding procedures.</i>	
Indirect cost fund (296-00-2781-2781).....	No limit
Workforce data quality initiative –	
federal fund (296-00-3237-3237).....	No limit
Employment security fund	
clearing account (296-00-7055-7100).....	No limit
Employment security fund	
benefit account (296-00-7054-7000).....	No limit

Employment security fund – special suspense account (296-00-7057-7300).....	No limit
Employment security fund trust account (296-00-7056-7200).....	No limit
Special wage payment clearing trust fund (296-00-7362-7500).....	No limit
Economic adjustment assistance – federal fund (296-00-3415-3415).....	No limit
Social security administration disability – federal fund (296-00-3309-3309).....	No limit
Amusement ride safety fund (296-00-2224-2250).....	No limit
KDOL off-budget fund (296-00-6112-6100).....	No limit
Renovation bond fund (296-00-8432-8411).....	No limit
SNAP employment and training pilot – federal fund (296-00-3321-3350).....	No limit
Anti-human trafficking – federal fund (296-00-3644-3644).....	No limit
Coronavirus relief fund (296-00-3753).....	No limit
Sec. 76.	

KANSAS COMMISSION ON  
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures – administration (694-00-1000-0103).....	\$592,236
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*Provided*, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Operating expenditures – veteran services (694-00-1000-0203).....	\$984,776
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*Provided*, That any unencumbered balance in the operating expenditures – veteran services account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.

Operations – state veterans cemeteries (694-00-1000-0703).....	\$611,447
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*Provided*, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2021, is hereby reappropriated for

fiscal year 2022: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,200.

Operating expenditures – Kansas

soldiers' home (694-00-1000-0403).....\$1,852,514

*Provided*, That any unencumbered balance in the operating expenditures – Kansas soldiers' home account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Operating expenditures – Kansas

veterans' home (694-00-1000-0503).....\$543,520

*Provided*, That any unencumbered balance in the operating expenditures – Kansas veterans' home account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Veterans claim assistance program –

service grants (694-00-1000-0903).....\$700,000

*Provided*, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That expenditures from the veterans claim assistance program – service grants account shall be made only for the purpose of awarding service grants to veterans service organizations for the purpose of aiding veterans in obtaining federal benefits: *Provided, however*; That no expenditures shall be made by the Kansas commission on veterans affairs office from the veterans claim assistance program – service grants account for operating expenditures or overhead for administering the grants in accordance with the provisions of K.S.A. 73-1234, and amendments thereto.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Soldiers' home fee fund (694-00-2241-2100).....No limit

Soldiers' home benefit fund (694-00-7903-5400).....No limit

Soldiers' home work therapy fund (694-00-7951-5600).....No limit

Soldiers' home medicare fund (694-00-3168-3100).....No limit

Soldiers' home medicaid fund (694-00-2464-2464).....No limit

Veterans' home medicare fund (694-00-3893-3893).....No limit

Veterans' home medicaid fund (694-00-2469-2469).....No limit

Veterans' home fee fund (694-00-2236-2200).....No limit

Veterans' home canteen fund (694-00-7809-5300).....	No limit
Veterans' home benefit fund (694-00-7904-5500).....	No limit
Soldiers' home outpatient clinic fund (694-00-2258-2300).....	No limit
State veterans cemeteries fee fund (694-00-2332-2600).....	No limit
State veterans cemeteries donations and contributions fund (694-00-7308-5200).....	No limit
Outpatient clinic patient federal reimbursement fund – federal (694-00-3205-3300).....	No limit
VA burial reimbursement fund – federal (694-00-3212-3310).....	No limit
Federal domiciliary per diem fund (694-00-3220).....	No limit
Federal long term care per diem fund (694-00-3232).....	No limit
Commission on veterans affairs federal fund (694-00-3241-3340).....	No limit
Kansas veterans memorials fund (694-00-7332-5210).....	No limit
Vietnam war era veterans' recognition award fund (694-00-7017-7000).....	No limit
Kansas hometown heroes fund (694-00-7003-7001).....	No limit
Persian gulf war veterans health initiatives fund (694-00-2304-2500).....	No limit
Construction state home facilities fund (694-00-3018-3000).....	No limit
State cemetery grants fund (694-00-3048).....	No limit
Kansas soldier home construction grant fund (694-00-3075).....	No limit
Winfield veterans home acquisition construction fund (694-00-8806-8200).....	No limit
Coronavirus relief fund (694-00-3753).....	No limit
CARES provider relief fund (694-00-3754).....	No limit
Veterans benefit lottery game fund (694-00-2303).....	No limit

*Provided*, That expenditures from the veterans benefit lottery game fund shall be in an amount equal to 50% for operating expenditures and capital improvements of the

above agency, or for the use and benefit of the Kansas veterans' home, the Kansas soldiers' home and the state veterans cemetery system; and 50% for the veterans enhanced service delivery program.

(c) (1) During the fiscal year ending June 30, 2022, notwithstanding the provisions of K.S.A. 73-1231, 73-1233, 75-3728g, 76-1906 or 76-1953, and amendments thereto, or any other statute, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer moneys that are credited to a special revenue fund of the Kansas commission on veterans affairs office to another special revenue fund of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(2) As used in this subsection, "special revenue fund" means the soldiers' home fee fund (694-00-2241-2100), veterans' home fee fund (694-00-2236-2200), soldiers' home outpatient clinic fund (694-00-2258-2300), soldiers' home benefit fund (694-00-7903-5400), soldiers' home work therapy fund (694-00-7951-5600), veterans' home canteen fund (694-00-7809-5300), veterans' home benefit fund (694-00-7904-5500), Persian Gulf War veterans health initiative fund (694-00-2304-2500), state veterans cemeteries fee fund (694-00-2332-2600), state veterans cemeteries donations and contributions fund (694-00-7308-5200) and Kansas veterans memorials fund (694-00-7332-5210).

(d) During the fiscal year ending June 30, 2022, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2022, from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office to another item of appropriation for fiscal year 2022 from the state general fund for the Kansas commission on veterans affairs office or any institution or facility under the general supervision and management of the Kansas commission on veterans affairs office. The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2022, the director of the Kansas commission on veterans affairs office, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2022, from the state general fund for the Kansas commission on veterans affairs office to the Vietnam war era veterans' recognition award fund (694-00-7017-7000). The director of the Kansas commission on veterans affairs office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,260,000 from the lottery operating fund (450-00-5123-5100) of the Kansas lottery to the veterans benefit lottery game fund (694-00-2303-2303) of the Kansas commission on veterans affairs office.

Sec. 77.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

State trauma fund (264-00-1000-1720).....\$150,000

(b) On the effective date of this act, of the \$5,244,144 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 68(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account (264-00-1000-0202), the sum of \$323,892 is hereby lapsed.

(c) On the effective date of this act, of the \$3,394,066 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 68(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) – health account (264-00-1000-0270), the sum of \$684,487 is hereby lapsed.

(d) On the effective date of this act, of the \$12,570,690 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 68(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the aid to local units – primary health projects account (264-00-1000-0460), the sum of \$116,124 is hereby lapsed.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the moneys that are identified as moneys from the federal government for coronavirus relief aid to the state of Kansas and appropriated in any special revenue fund or funds for fiscal year 2021, as authorized by section 68 of chapter 5 of the 2020 Session Laws of Kansas, this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated from such special revenue fund or funds for fiscal year 2021 to reimburse for testing certified testing laboratories that have entered into an agreement with the above agency and are providing community COVID-19 testing to the general public.

Sec. 78.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official  
hospitality) (264-00-1000-0202).....\$4,157,704

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby

reappropriated for fiscal year 2022.

Operating expenditures (including official  
hospitality) – health (264-00-1000-0270).....\$3,410,238

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Vaccine purchases (264-00-1000-0900).....\$329,607

*Provided*, That any unencumbered balance in the vaccine purchases account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Aid to local units (264-00-1000-0350).....\$5,805,709

*Provided*, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That, except as provided in subsection (k), all expenditures from this account for state financial assistance to local health departments shall be in accordance with the formula prescribed by K.S.A. 65-241 through 65-246, and amendments thereto.

Aid to local units – primary  
health projects (264-00-1000-0460).....\$12,570,690

*Provided*, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That prescription support expenditures shall be made from the aid to local units – primary health projects account for: (1) Purchasing drug inventory under section 340B of the federal public health service act for community health center grantees and federally qualified health center look-alikes who qualify; (2) increasing access to prescription drugs by subsidizing a portion of the costs for the benefit of patients at section 340B participating clinics on a sliding fee scale; and (3) expanding access to prescription medication assistance programs by making expenditures to support operating costs of assistance programs: *And provided further*; That funded clinics shall be not-for-profit or publicly funded primary care clinics or dental clinics, including federally qualified community health centers and federally qualified community health center look-alikes, as defined by 42 U.S.C. § 330, that provide comprehensive primary health care or dental services, offer sliding fee discounts based upon household income and serve any person regardless of ability to pay and have a unique patient panel that, at a minimum, represents the income-based disparities of the community: *And provided further*; That policies determining patient eligibility due to income or insurance status may be determined by each community but must be clearly documented and posted: *And provided further*; That of the moneys appropriated in the aid to local units – primary health projects account, not less than \$12,570,690 shall be distributed for community-based primary care grants and services provided by the community care network of Kansas.

Infant and toddler program (264-00-1000-0570).....\$4,000,000

Aid to local units –  
women's wellness (264-00-1000-0610).....\$94,296

*Provided*, That any unencumbered balance in the aid to local units – women's wellness account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That all expenditures from the aid to local units – women's wellness account shall be in accordance with grant agreements entered into by the secretary of health and environment and grant recipients.

Immunization programs (264-00-1000-1400).....\$397,418

*Provided*, That any unencumbered balance in the immunization programs account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Breast cancer

screening program (264-00-1000-1300).....\$219,336

*Provided*, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Pregnancy maintenance

initiative (264-00-1000-1100).....\$338,846

*Provided*, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Cerebral palsy

posture seating (264-00-1000-1500).....\$303,537

*Provided*, That any unencumbered balance in the cerebral palsy posture seating account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That expenditures may be made by the above agency from the cerebral palsy posture seating account for posture seating for adults.

PKU treatment (264-00-1000-1710).....\$199,274

*Provided*, That any unencumbered balance in the PKU treatment account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Teen pregnancy

prevention activities (264-00-1000-0650).....\$338,846

*Provided*, That any unencumbered balance in the teen pregnancy prevention activities account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

State trauma fund (264-00-1000-1720).....\$300,000

*Provided*, That any unencumbered balance in the state trauma fund in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Lyme disease prevention and research (264-00-1000-0670).....\$140,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Disease control and prevention investigations  
 and technical assistance –  
 federal fund (264-00-3150).....No limit

Health and environment training  
 fee fund – health (264-00-2183-2160).....No limit

*Provided*, That expenditures may be made from the health and environment training fee fund – health for acquisition and distribution of division of public health program literature and films and for participation in or conducting training seminars for training employees of the division of public health of the department of health and environment, for training recipients of state aid from the division of public health of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of public health: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – health: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of public health from moneys appropriated from the health and environment training fee fund – health for fiscal year 2022, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2022 for agency operations for the division of public health.

Health facilities review fund (264-00-2505-2250).....No limit

Insurance statistical  
 plan fund (264-00-2243-2840).....No limit

Health and environment publication  
 fee fund – health (264-00-2541-2190).....No limit

*Provided*, That expenditures from the health and environment publication fee fund – health shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.

District coroners fund (264-00-2653-2320).....No limit

Sponsored project overhead  
 fund – health (264-00-2912-2710).....No limit

Tuberculosis elimination and laboratory –  
 federal fund (264-00-17-3559-3559).....No limit

Maternity centers and child care facilities licensing  
 fee fund (264-00-2731-2731).....No limit

Child care and development block grant –  
 federal fund (264-00-3028-3450).....No limit

Federal supplemental funding for tobacco prevention and control – federal fund (264-00-3574-3574).....	No limit
Coordinated chronic disease prevention and health promotion program – federal fund (264-00-3575-3575).....	No limit
Office of rural health – federal fund (264-00-3031-3640).....	No limit
Emergency medical services for children – federal fund (264-00-3292-3292).....	No limit
Primary care offices – federal fund (264-00-3293-3293).....	No limit
Injury intervention – federal fund (264-00-3294-3294).....	No limit
Oral health workforce activities – federal fund (264-00-3297-3297).....	No limit
Rural hospital flex program – federal fund (264-00-3298-3298).....	No limit
Hospital bioterrorism preparedness – federal fund (264-00-3398-3398).....	No limit
Kansas coalition against sexual and domestic violence – federal fund (264-00-17-3907-3907).....	No limit
ARRA collaborative component I – federal fund (264-00-3890-3891).....	No limit
ARRA collaborative component III – federal fund (264-00-17-3890-3892).....	No limit
ARRA ambulatory surgical center ASC/HAI medicare – federal fund (264-00-3486-3486).....	No limit
Medicare – federal fund (264-00-3064-3062).....	No limit
<i>Provided, That transfers of moneys from the medicare – federal fund to the state fire marshal may be made during fiscal year 2022 pursuant to a contract, which is hereby authorized to be entered into by the secretary of health and environment and the state fire marshal to provide fire and safety inspections for hospitals.</i>	
Migrant health program – federal fund (264-00-3069-3070).....	No limit
Tuberculosis prevention – federal fund (264-00-3071-4610).....	No limit
Strengthen public health immunization infrastructure – federal fund (264-00-3568-3568).....	No limit
Healthy homes and lead poisoning prevention –	

federal fund (264-00-3572-3572).....	No limit
Children's mercy hospital lead program –	
federal fund (264-00-3152-3154).....	No limit
Women, infants and children health program –	
federal fund (264-00-3077-3103).....	No limit
Immunization and vaccines for children grants –	
federal fund (264-00-3747-3741).....	No limit
Home visiting grant –	
federal fund (264-00-3503-3503).....	No limit
Preventive health block grant –	
federal fund (264-00-3614-3200).....	No limit
Maternal and child health block grant –	
federal fund (264-00-3616-3210).....	No limit
National center for health statistics –	
federal fund (264-00-3617-3220).....	No limit
Title X family planning services program –	
federal fund (264-00-3622-3271).....	No limit
Comprehensive STD prevention systems –	
federal fund (264-00-3070-3080).....	No limit
Make a difference information network –	
federal fund (264-00-3234-3234).....	No limit
Ryan White title II –	
federal fund (264-00-3328-3310).....	No limit
Bicycle helmet distribution –	
federal fund (264-00-3815-3815).....	No limit
Bicycle helmet revolving fund (264-00-2575-2630).....	No limit
SSA fee fund (264-00-2269-2030).....	No limit
Childhood lead poisoning prevention program –	
federal fund (264-00-3296-3296).....	No limit
State implementation projects for prevention	
of secondary conditions –	
federal fund (264-00-3087-4405).....	No limit
Title IV-E – federal fund (264-00-3326-3900).....	No limit
HIV prevention projects –	
federal fund (264-00-3740-3521).....	No limit
HIV/AIDS surveillance –	
federal fund (264-00-3399-3399).....	No limit
Infants & toddlers Prt C –	
federal fund (264-00-3516-3171).....	No limit

Universal newborn hearing screening – federal fund (264-00-3459-3459).....	No limit
State loan repayment program – federal fund (264-00-3760-3755).....	No limit
Opt-out testing initiative – federal fund (264-00-3801-3801).....	No limit
Adult lead surveillance data – federal fund (264-00-3496-3496).....	No limit
Medical reserve corps contract – federal fund (264-00-3502-3502).....	No limit
Trauma fund (264-00-2513-2230).....	No limit
<i>Provided</i> , That expenditures may be made by the department of health and environment for fiscal year 2022 from the trauma fund of the department of health and environment – division of public health for the stroke prevention project: <i>Provided further</i> ; That expenditures from the trauma fund for official hospitality shall not exceed \$3,000.	
Homeland security – federal fund (264-00-3329-3319).....	No limit
Refugee assistance – federal fund (264-00-3378-3345).....	No limit
Personal responsibility education program – federal fund (264-00-3494-3494).....	No limit
Kansas vital records for quality improvement – federal fund (264-00-3098-3098).....	No limit
Kansas early detection works breast & cervical cancer screening services – federal fund (264-00-3099-3099).....	No limit
Kansas public health approaches for ensuring quitline capacity – federal fund (264-00-3097-3097).....	No limit
Diagnostic x-ray program – federal fund (264-00-3511-3160).....	No limit
HRSA small hospital improvement grant program – federal fund (264-00-3371-3371) .....	No limit
State indoor radon grant – federal fund (264-00-3884-3930).....	No limit
Gifts, grants and donations fund – health (264-00-7311-7090).....	No limit
Special bequest fund – health (264-00-7366-7050).....	No limit

Civil registration and health statistics fee fund (264-00-2291-2295).....	No limit
Power generating facility fee fund (264-00-2131-2130).....	No limit
Nuclear safety emergency preparedness special revenue fund (264-00-2415-2280).....	No limit
<i>Provided</i> , That all moneys received by the department of health and environment – division of public health from the nuclear safety emergency management fee fund (034- 00-2081-2200) of the adjutant general shall be credited to the nuclear safety emergency preparedness special revenue fund of the department of health and environment – division of public health; <i>Provided further</i> , That expenditures from the nuclear safety emergency preparedness special revenue fund for official hospitality shall not exceed \$2,500.	
Radiation control operations fee fund (264-00-2531-2530).....	No limit
<i>Provided</i> , That expenditures from the radiation control operations fee fund for official hospitality shall not exceed \$2,000.	
Lead-based paint hazard fee fund (264-00-2289-2140).....	No limit
Strengthening public health infrastructure – federal fund (264-00-3547-3547).....	No limit
Improving minority health – federal fund (264-00-3548-3548).....	No limit
Abstinence education – federal fund (264-00-3549-3549).....	No limit
Affordable care act – federal fund (264-00-3546-3546).....	No limit
Carbon monoxide detector/fire injury prevention – federal fund (264-00-3508-3508).....	No limit
Health information exchange – federal fund (264-00-3493-3493).....	No limit
Kansas newborn screening fund (264-00-2027-2027).....	No limit
Actions to prevent and control diabetes, heart disease, and obesity – federal fund (264-00-3749-3742).....	No limit
Healthy start initiative – federal fund (264-00-3751-3751).....	No limit
Immunization capacity building assistance – federal fund (264-00-3744-3744).....	No limit
Hospital preparedness and response program for Ebola –	

federal fund (264-00-3033-3033).....	No limit
CDC multipurpose grant	
federal fund (264-00-3243-3243).....	No limit
Kansas newborn screening information system	
maintenance and enhancement	
federal fund (264-00-3612-3612).....	No limit
Lifting young families toward excellence	
federal fund (264-00-3627-3627).....	No limit
Cancer registry federal fund (264-00-3008-3040).....	No limit
Hospital preparedness Ebola –	
federal fund (264-00-3093-3093).....	No limit
Kansas survivor care quality initiative –	
federal fund (264-00-3101-3610).....	No limit
Zika birth defects surveillance & referral –	
federal fund (264-00-3102-3620).....	No limit
IDEA infant toddler-part C-ARRA –	
federal fund (264-00-3282-3282).....	No limit
SAMHSA project launch intv. –	
federal fund (264-00-3284-3284).....	No limit
Immunization grant –	
federal fund (264-00-3372-3150).....	No limit
Small hospital improvement program –	
federal fund (264-00-3392-3392).....	No limit
Cardiovascular health program –	
federal fund (264-00-3401-3407).....	No limit
Kansas senior farmers market nutrition program –	
federal fund (264-00-3406-3406).....	No limit
Lead poisoning preventive health –	
federal fund (264-00-3626-4132).....	No limit
ARRA – WIC grants to states –	
federal fund (264-00-3750-3750).....	No limit
Census of trauma occp fatal. –	
federal fund (264-00-3797-3670).....	No limit
Homeland security grant-KHP –	
federal fund (264-00-3199-3199).....	No limit
Refugee health – federal fund (264-00-3393-3393).....	No limit
ARRA – migrant –	
federal fund (264-00-3396-3396).....	No limit
ARRA – transfer from SRS –	

federal fund (264-00-3471-3471).....	No limit
Public health crisis response –	
federal fund (264-00-3602-3602).....	No limit
Diabetes & heart disease &	
stroke prevention programs –	
federal fund (264-00-3603-3603).....	No limit
Innovative state & local public health	
strategies to prevent & manage	
diabetes and heart disease and stroke –	
federal fund (264-00-3604-3604).....	No limit
Kansas actions to improve oral health outcomes –	
federal fund (264-00-3921-3921).....	No limit
ARRA – survey, licensure and epidemiology –	
federal fund (264-00-3746-3746).....	No limit
Campus sexual assault prevention grant –	
federal fund (264-00-3035-3035).....	No limit
Alzheimer's association inclusion –	
federal fund (264-00-3607-3607).....	No limit
ESSA preschool development grants birth through	
five – federal fund (264-00-3608-3608).....	No limit
Preventing maternal deaths –	
federal fund (264-00-3896-3896).....	No limit
Right-to-know	
fee fund (264-00-2325-2325).....	No limit
Child care criminal background and	
fingerprint fund (264-00-2313-2313).....	No limit
Kansas tobacco control program –	
federal fund (264-00-3598-3598).....	No limit
Colorectal cancer screening –	
federal fund (264-00-3599-3599).....	No limit
Arthritis evidence based interventions –	
federal fund (264-00-3755-3755).....	No limit
Coronavirus relief fund (264-00-3753).....	No limit

(c) On July 1, 2021, and on other occasions during fiscal year 2022, when necessary as determined by the secretary of health and environment, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment that constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs from specified special revenue funds of the department of health and environment – division of public health or of the department of health and environment – division of

environment to the sponsored project overhead fund – health (264-00-2912-2715) of the department of health and environment – division of public health.

(d) During the fiscal year ending June 30, 2022, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue funds of the department of health and environment – division of public health that have available moneys to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health for expenditures, as the case may be, for administrative expenses.

(e) During the fiscal year ending June 30, 2022, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of public health to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health pursuant to this section may include amounts not to exceed 25% of the expenditures from such special revenue fund or funds, excepting expenditures for contractual services.

(f) During the fiscal year ending June 30, 2022, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2022 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2022 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the district coroners fund for fiscal year 2022, as authorized by this or other appropriation act of the 2021 regular session of the legislature, and notwithstanding the provisions of K.S.A. 22a-245, and amendments thereto, or any other statute, expenditures may be made by the department of health and environment – division of public health from such moneys appropriated from the district coroners fund (264-00-2653-2320) of the department of health and environment – division of public health for fiscal year 2022 pursuant to K.S.A. 22a-242, and amendments thereto.

(h) On July 1, 2021, the director of accounts and reports shall transfer \$200,000 from the health care stabilization fund (270-00-7404-2100) of the health care stabilization fund board of governors to the health facilities review fund (264-00-2505-2250) of the department of health and environment – division of public health for the purpose of financing a review of records of licensed medical care facilities and an analysis of quality of health care services provided to assist in correcting substandard services and to reduce the incidence of liability resulting from the rendering of health care services and implementing the risk management provisions of K.S.A. 65-4922 et seq., and amendments thereto.

(i) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2022, the following:

Healthy start (264-00-2000-2105).....\$250,000

*Provided*, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Infants and toddlers program (264-00-2000-2107).....\$5,800,000

*Provided*, That any unencumbered balance in the infants and toddlers program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Smoking prevention (264-00-2000-2109).....\$1,001,960

*Provided*, That any unencumbered balance in the smoking prevention account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Newborn hearing aid

loaner program (264-00-2000-2113).....\$50,773

*Provided*, That any unencumbered balance in the newborn hearing aid loaner program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

SIDS network grant (264-00-2000-2115).....\$96,374

*Provided*, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(j) In addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health during fiscal year 2022 from moneys appropriated from the state general fund or any special revenue fund or funds by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made from such moneys to contract for the services of one or more persons to survey and certify dialysis treatment facilities located in the state of Kansas: *Provided*, That, if the above agency has not surveyed a newly constructed dialysis treatment facility within one year after the operator of the facility notifies the above agency that the facility is operational, then the above agency may charge the cost of any survey performed on the facility to the operator of such facility: *Provided further*, That any expenditure of moneys and any survey conducted pursuant to this subsection shall comply with requirements imposed by federal law.

(k) On July 1, 2021, the breast and cervical cancer program and detection – federal fund (264-00-3150-3350) of the department of health and environment – division of public health is hereby redesignated as the disease control and prevention investigations and technical assistance – federal fund (264-00-3150) of the department of health and environment – division of public health.

(l) Notwithstanding the provisions of K.S.A. 65-242, and amendments thereto, or any other statute to the contrary, during the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2022 by this or any other appropriation act of the 2021 regular session of

the legislature, expenditures shall be made by the above agency from such moneys to distribute to each local health department an amount not less than \$12,000 upon application therefor in accordance with K.S.A. 65-242, and amendments thereto: *Provided*, That any remaining moneys appropriated for such purpose, if any, after making distributions in accordance with this subsection shall be distributed in accordance with K.S.A. 65-242, and amendments thereto: *Provided, however*; That, if sufficient funds are not available to make a minimum distribution of \$12,000, then the provisions of K.S.A. 65-242, and amendments thereto, shall control.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the moneys that are identified as moneys from the federal government for coronavirus relief aid to the state of Kansas and appropriated in any special revenue fund or funds for fiscal year 2022, as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated from such special revenue fund or funds for fiscal year 2022 to reimburse for testing certified testing laboratories that have entered into an agreement with the above agency and are providing community COVID-19 testing to the general public.

Sec. 79.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF HEALTH CARE FINANCE

(a) On the effective date of this act, of the \$22,185,505 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 70(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the health policy operating expenditures account (264-00-1000-0010), the sum of \$2,502,235 is hereby lapsed.

(b) On the effective date of this act, of the \$729,950,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 70(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the other medical assistance account (264-00-1000-3026), the sum of \$99,751,297 is hereby lapsed.

Sec. 80.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Health policy operating  
expenditures (264-00-1000-0010).....\$22,220,706

*Provided*, That any unencumbered balance in the health policy operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That expenditures shall be made from the health policy operating expenditures account of the above agency for the drug utilization review board to perform an annual review of the approved exemptions to the current single source limit by program.

Children's health insurance program (264-00-1000-0060).....\$22,388,662

*Provided,* That any unencumbered balance in the children's health insurance program in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Other medical assistance (264-00-1000-3026).....\$759,750,000

*Provided,* That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022:

*Provided further,* That expenditures may be made from the other medical assistance account by the above agency for the purpose of implementing or expanding any prior authorization project: *And provided further,* That an evaluation of the automated implementation, savings obtained from implementation, and other outcomes of the implementation or expansion shall be submitted to the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight prior to the start of the regular session of the legislature in 2022.

Wichita center for graduate

medical education (264-00-1000-3027).....\$2,950,000

*Provided,* That any unencumbered balance in the Wichita center for graduate medical education account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Graduated medical education (264-00-1000-3028).....\$1,300,000

*Provided,* That any unencumbered balance in the graduated medical education account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Preventive health care

program fund (264-00-2556-2550).....\$500,000

Division of health care finance special

revenue fund (264-00-2360-2350).....No limit

*Provided,* That expenditures from the division of health care finance special revenue fund for the fiscal year ending June 30, 2022, for official hospitality shall not exceed \$1,000.

Health committee

insurance fund (264-00-2569-2500).....No limit

Health care database

fee fund (264-00-2578-2570).....No limit

Association assistance

plan fund (264-00-2391-2391).....No limit

Medical programs fee fund (264-00-2395-0110).....\$143,519,270

Medical assistance fee fund (264-00-2185-2185).....	No limit
Other state fees fund (264-00-2440-0100).....	No limit
Health care access improvement fund (264-00-2443-2215).....	No limit
Children's health insurance program federal fund (264-00-3424-0540).....	No limit
State planning – health care – uninsured fund (264-00-3483-3483).....	No limit
HIV care formula grant federal fund (264-00-3328-3311).....	No limit
Medical assistance program federal fund (264-00-3414-0440).....	No limit
Quality based community assessment fund (264-00-2760-2760).....	No limit
KEES interagency transfer fund (264-00-17-6001-6001).....	No limit
Energy assistance block grant (264-00-3305-3305).....	No limit
Temporary assistance for needy families (264-00-3323-3530).....	No limit
Title IV-E – adoption assistance (264-00-3357-3357).....	No limit

(c) During the fiscal year ending June 30, 2022, any moneys donated or granted to the division of health care finance of the department of health and environment and any federal funds received as match to such donations or grants by the division of health care finance of the department of health and environment for the fiscal year ending June 30, 2022, shall only be expended by the division of health care finance of the department of health and environment to assist the clearinghouse in reducing any backlogs or waiting lists, unless otherwise specified by the donor or grantor: *Provided*, That any donated or granted moneys, and the matching moneys received therefor from the federal centers for medicare and medicaid services, shall not be used to supplant or replace funds already budgeted for the clearinghouse or to restore any other reductions in funding to the clearinghouse or the agency, unless otherwise specified by the donor or grantor.

(d) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to implement and require any managed care organization providing state medicaid services under the Kansas medical assistance program to implement a policy to provide at least a 60-day admission for individuals

requiring inpatient treatment in a psychiatric residential treatment facility, as determined by a managed care organization providing state medicaid services under the Kansas medical assistance program, without imposing any prior authorization requirements to receive such admission or treatment.

(e) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to set the monthly protected income level for purposes of determining the person's client obligation at an amount equal to:

(1) \$1,177 per month for any person in Kansas receiving home and community-based services administered under section 1915(c) of the federal social security act; and

(2) 300% of federal supplemental security income for any person in Kansas receiving services from a program of all-inclusive care for the elderly administered by the Kansas department for aging and disability services.

(f) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to implement analytical and publicly available reporting that is compliant with the privacy rule of the administrative simplification subtitle of the health insurance portability and accountability act of 1996 (Pub. L. No. 104-191), and any federal regulations adopted thereunder, to measure outcomes and effectiveness of the health homes program known as onecare Kansas and to assist providers with the provisions of the health homes program.

(g) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to submit to the United States centers for medicare and medicaid services a waiver request to allow for medicaid reimbursement for inpatient psychiatric acute care.

(h) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2022, as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2022, to suspend, and not terminate medicaid coverage of inmates in the custody of the department of corrections during the period of such inmate's incarceration for the purposes of reinstating coverage for such inmate during any period of time during fiscal

year 2022 that such inmate is eligible for coverage.

(i) During the fiscal year ending June 30, 2022, notwithstanding the provisions of any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to pay hospitals and physicians at the medicaid rate established in fiscal year 2021: *Provided*, That such rate shall not be adjusted prior to January 1 or July 1 immediately following the publication in the Kansas register of the approval of the hospital provider assessment rate adjustments made to K.S.A. 65-6208, and amendments thereto, by section 9 of chapter 10 of the 2020 Session Laws of Kansas.

(j) On July 1, 2021, or as soon thereafter as moneys are available, if legislation that expands or expressly consents to expand eligibility for the receipt of medical assistance benefits as provided in the federal patient protection and affordable care act, public law 111-148, and the federal health care and education reconciliation act of 2010, public law 111-152, has not been passed by the legislature during the 2021 regular session and enacted into law, then the director of accounts and reports shall transfer \$19,000,000 from the other medical assistance account (264-00-1000-3026) of the state general fund to the children's health insurance program account (264-00-1000-0060) of the state general fund: *Provided*, That, if such transfer occurs, then the above agency shall expend such transferred moneys for the purpose of paying the state share of the children's health insurance program.

(k) On July 1, 2021, if legislation that expands or expressly consents to expand eligibility for the receipt of medical assistance benefits as provided in the federal patient protection and affordable care act, public law 111-148, and the federal health care and education reconciliation act of 2010, public law 111-152, has not been passed by the legislature during the 2021 regular session and enacted into law, then the expenditure limitation established for the fiscal year ending June 30, 2022, by this or any other appropriation act of the 2021 regular session of the legislature on the medical programs fee fund (264-00-2395-0110) of the department of health and environment – division of health care finance is hereby decreased from \$143,519,270 to \$141,319,270.

(l) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds as authorized by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by such agency from such moneys to establish a prospective payment system under the medical assistance program for funding certified community behavioral health clinics certified by the Kansas department for aging and disability services: *Provided*, That such payment system shall permit payment by either daily or monthly rates: *And provided further*, That the above agency shall submit to the United States centers for medicare and medicaid services any approval request necessary to implement this subsection.

Sec. 81.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF ENVIRONMENT

(a) On the effective date of this act, of the \$4,365,133 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 72(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the operating expenditures (including official hospitality) account (264-00-1000-0300), the sum of \$358,099 is hereby lapsed.

Sec. 82.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF ENVIRONMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official  
hospitality) (264-00-1000-0300).....\$4,057,315

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby reapropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Mined-land conservation and reclamation  
fee fund (264-00-2233-2220).....No limit

Solid waste management fund (264-00-2271-2075).....No limit

*Provided*, That expenditures may be made from the solid waste management fund during the fiscal year ending June 30, 2022, for official hospitality: *Provided further*; That such expenditures for official hospitality shall not exceed \$2,500.

Public water supply fee fund (264-00-2284-2085).....No limit

Voluntary cleanup fund (264-00-2288-2120).....No limit

Storage tank fee fund (264-00-2293-2090).....No limit

Air quality fee fund (264-00-2020-2830).....No limit

Hazardous waste  
collection fund (264-00-2099-2010).....No limit

Health and environment training fee fund –  
environment (264-00-2175-2170).....No limit

*Provided*, That expenditures may be made from the health and environment training fee fund – environment for acquisition and distribution of division of environment program literature and films and for participation in or conducting training seminars for

training employees of the division of environment of the department of health and environment, for training recipients of state aid from the division of environment of the department of health and environment and for training representatives of industries affected by rules and regulations of the department of health and environment relating to the division of environment: *Provided further*, That the secretary of health and environment is hereby authorized to fix, charge and collect fees in order to recover costs incurred for such acquisition and distribution of literature and films and for the operation of such seminars: *And provided further*, That such fees may be fixed in order to recover all or part of such costs: *And provided further*, That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the health and environment training fee fund – environment: *And provided further*, That, in addition to the other purposes for which expenditures may be made by the department of health and environment for the division of environment from moneys appropriated from the health and environment training fee fund – environment for fiscal year 2022, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2022 for agency operations for the division of environment.

Driving under the influence fund (264-00-2101-2020).....	No limit
Waste tire management fund (264-00-2635-2820).....	No limit
Health and environment publication fee fund – environment (264-00-2544-2195).....	No limit
<i>Provided</i> , That expenditures from the health and environment publication fee fund – environment shall be made only for the purpose of paying the expenses of publishing documents as required by K.S.A. 75-5662, and amendments thereto.	
Local air quality control authority regulation services fund (264-00-2657-2330) .....	No limit
Environmental response fund (264-00-2662-2400).....	No limit
Sponsored project overhead fund – environment (264-00-2911-2720).....	No limit
Chemical control fee fund (264-00-2212-2360).....	No limit
QuantiFERON TB laboratory fund (264-00-2458-2460).....	No limit
Resource conservation and recovery act – federal fund (264-00-3586-3190).....	No limit
Water supply – federal fund (264-00-3295-3130).....	No limit
Air quality section 103 – federal fund (264-00-3248-3246).....	No limit
EPA – core support – federal fund (264-00-3040-3000).....	No limit

Network exchange grant – federal fund (264-00-3267-3267).....	No limit
Kansas clean diesel grant – federal fund (264-00-3249-3250).....	No limit
Air quality program – federal fund (264-00-3072-3090).....	No limit
Sec. 106 monitoring initiative – federal fund (264-00-3619-3240).....	No limit
Air quality section 105 – federal fund (264-00-3249-3249).....	No limit
Leaking underground storage tank trust – federal fund (264-00-3812-3700).....	No limit
Surface mining control and reclamation act – federal fund (264-00-3820-3760).....	No limit
Abandoned mined-land – federal fund (264-00-3821-3770).....	No limit
Department of defense and state cooperative agreement – federal fund (264-00-3067-3031).....	No limit
EPA non-point source – federal fund (264-00-3889-3940).....	No limit
Pollution prevention program – federal fund (264-00-3908-3990).....	No limit
EPA water monitoring – federal fund (264-00-3086-4200).....	No limit
Gifts, grants and donations fund – environment (264-00-7314-7095).....	No limit
Special bequest fund – environment (264-00-7367-7040).....	No limit
Aboveground petroleum storage tank release trust fund (264-00-7398-7070).....	No limit
Underground petroleum storage tank release trust fund (264-00-7399-7060).....	No limit
Drycleaning facility release trust fund (264-00-7407-7250).....	No limit
Public water supply loan fund (264-00-7539-7800).....	No limit
Public water supply loan operations fund (264-00-3295-3295).....	No limit
Kansas water pollution control	

revolving fund (264-00-7530-7400).....	No limit
<i>Provided, That the proceeds from revenue bonds issued by the Kansas development finance authority to provide matching grant payments under the federal clean water act of 1987 (P.L. 92-500) shall be credited to the Kansas water pollution control revolving fund: Provided further, That expenditures from this fund shall be made to provide for the payment of such matching grants.</i>	
Kansas water pollution control operations fund (264-00-7960-8300).....	No limit
Cost of issuance fund for Kansas water pollution control revolving fund revenue bonds (264-00-7531-7600).....	No limit
Surcharge fund for Kansas water pollution control revolving fund revenue bonds (264-00-7539-7805).....	No limit
Surcharge operations fund for Kansas water pollution control revolving fund revenue bonds (264-00-7531-7620).....	No limit
Subsurface hydrocarbon storage fund (264-00-2228-2380).....	No limit
Natural resources damages trust fund (264-00-7265-7265).....	No limit
Hazardous waste management fund (264-00-2519-2290).....	No limit
Brownfields revolving loan program – federal fund (264-00-3278-3278).....	No limit
Mined-land reclamation fund (264-00-2685-2560).....	No limit
Operator outreach training program – federal fund (264-00-3259-3259).....	No limit
Underground storage tank – federal fund (264-00-3732-3510).....	No limit
EPA underground injection control – federal fund (264-00-3295-3288).....	No limit
Laboratory medicaid cost recovery fund – environment (264-00-2092-2060).....	No limit
EPA state response program – federal fund (264-00-3370-3915).....	No limit
Environmental use control fund (264-00-2292-2310).....	No limit
Environmental response remedial activity specific sites – federal fund (264-00-3040-3003).....	No limit

Emergency environmental response – nonspecific sites federal fund (264-00-3067-3030).....	No limit
Medicare program – environment – federal fund (264-00-3096-3050).....	No limit
EPA pollution prevention – federal fund (264-00-3619-3240).....	No limit
Inspections Kansas infrastructure projects – federal fund (264-00-3910-3950).....	No limit
Salt solution mining well plugging fund (264-00-2247-2390).....	No limit
Water program management fund (264-00-2798-2798).....	No limit
UST redevelopment fund (264-00-7397-7080).....	No limit
<i>Provided, That, in addition to the other purposes authorized by K.S.A. 65-34,132, and amendments thereto, notwithstanding the provisions of K.S.A. 65-34,139(a)(3), and amendments thereto, expenditures shall be made from the above fund for fiscal year 2022 for the purposes of reimbursing eligible owners of underground storage tanks, if, pursuant to K.S.A. 65-34,139, and amendments thereto, the owner replaces all components of a single-wall storage tank system with a secondary containment system that complies with K.S.A. 65-34,138, and amendments thereto, after August 8, 2005.</i>	
Office of laboratory services operating fund (264-00-2161-2161).....	No limit
Risk management fund (264-00-7402-7402).....	No limit
Intoxilyzer replacement – federal fund (264-00-3092-3092).....	No limit
Environmental stewardship fund (264-00-17-7396-7096).....	No limit
EPA multi-purpose grant – federal fund (264-00-3103-3630).....	No limit
Volkswagen environmental fund (264-00-7269-7269).....	No limit
USDA conservation partnership – federal fund (264-00-3022-3022).....	No limit
Environmental response – federal fund (264-00-3066-3010).....	No limit
Other federal grants – federal fund (264-00-3095-5450).....	No limit
Alcohol impaired driving countermeasures incentive grants – federal fund (264-00-3247-3247).....	No limit

Air quality program – federal fund (264-00-3253-3253).....	No limit
Water related grants – federal fund (264-00-3254-3260).....	No limit
EPA nonpoint source implementation – federal fund (264-00-3915-3915).....	No limit
Water protection state grants – federal fund (264-00-3264-3264).....	No limit
Multi-media capacity building – federal fund (264-00-3277-3277).....	No limit
Health watershed initiative – federal fund (264-00-3558-3558).....	No limit
Small employer cafeteria plan development program (264-00-2386-2382).....	No limit
Environmental response RMDL act – federal fund (264-00-3005-3010).....	No limit
Ticket to work grant – federal fund (264-00-3417-4367).....	No limit
Demo to maintenance-indep. employer – federal fund (264-00-3419-3419).....	No limit
EPA underground injection control – federal fund (264-00-3618-3230).....	No limit
104G outreach training program – federal fund (264-00-3722-3500).....	No limit
Drinking water lead testing in school and child care programs – federal fund (264-00-3670-3601).....	No limit
Brownfields revolving loan program fund (264-00-7526-7103).....	No limit
Certification of environmental liability fund (264-00-7527-7230).....	No limit
P/C safety net clinic loan guarantee fund (264-00-7551-7595).....	No limit
KWPC surcharge services fees (264-00-7961-8400).....	No limit
KPWS revolving fund (264-00-7968-8500).....	No limit
KPWS surcharge service fees (264-00-7969-8600).....	No limit
Asbestos remediation fund (264-00-7342-7342).....	No limit

*Provided, That, notwithstanding the provisions of K.S.A. 65-5309, and amendments*

thereto, or any other statute, all fees or other moneys collected by the above agency during fiscal year 2022 related to asbestos remediation, as certified by the secretary of health and environment, shall be credited to the asbestos remediation fund.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2022, for the state water plan project or projects specified as follows:

Contamination remediation (264-00-1800-1802).....\$1,088,301

*Provided*, That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

TMDL initiatives and use  
attainability analysis (264-00-1800-1805).....\$280,738

*Provided*, That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Watershed restoration and  
protection plan (264-00-1800-1808).....\$730,884

*Provided*, That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Nonpoint source program (264-00-1800-1804).....\$303,208

*Provided*, That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Milford and Marion reservoirs harmful algae  
bloom pilot (264-00-1800-1810).....\$450,000

*Provided*, That any unencumbered balance in the Milford and Marion reservoirs harmful algae bloom pilot account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Drinking water protection (264-00-1800-1806).....\$350,000

(d) During the fiscal year ending June 30, 2022, the secretary of health and environment, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2022 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2022 from the state water plan fund for the department of health and environment – division of environment: *Provided*, That the secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research, the chairperson of the house of representatives agriculture and natural resources budget committee and the chairperson of the subcommittee on health and environment/human resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2022, notwithstanding the provisions of K.S.A. 65-3024, and amendments thereto, the director of accounts and reports shall not

make the transfers of amounts of interest earnings from the state general fund to the air quality fee fund (264-00-2020-2830) of the department of health and environment, which are directed to be made on or before the 10<sup>th</sup> day of each month by K.S.A. 65-3024, and amendments thereto.

(f) On July 1, 2021, and on other occasions during fiscal year 2022 when necessary, the director of accounts and reports shall transfer amounts specified by the secretary of health and environment that constitute reimbursements, credits and other amounts received by the department of health and environment for activities related to federal programs, from specified special revenue fund or funds of the department of health and environment – division of public health or of the department of health and environment – division of environment, to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment.

(g) During the fiscal year ending June 30, 2022, the director of accounts and reports shall transfer an amount or amounts specified by the secretary of health and environment from any one or more special revenue fund or funds of the department of health and environment – division of environment that have available moneys to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment or to the sponsored project overhead fund – health (264-00-2912-2710) of the department of health and environment – division of public health, as the case may be, for expenditures for administrative expenses.

(h) During the fiscal year ending June 30, 2022, the secretary of health and environment, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2022 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment to another item of appropriation for fiscal year 2022 from the state general fund for the department of health and environment – division of public health or the department of health and environment – division of environment. The secretary of health and environment shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2022, the amounts transferred by the director of accounts and reports from each of the special revenue funds of the department of health and environment – division of environment to the sponsored project overhead fund – environment (264-00-2911-2720) of the department of health and environment – division of environment pursuant to this section may include amounts equal to not more than 25% of the expenditures from such special revenue fund, excepting expenditures for contractual services.

(j) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made from such moneys in fiscal year 2022 to maintain the above agency's current staffing levels of professional and associate engineers in the livestock waste section of the bureau of environmental field services:

*Provided, however,* That the above agency shall reduce staffing levels among either the environmental specialist staff or inspection staff within the bureau of field services as necessary to achieve the reduction in state general fund expenditures from the previous fiscal year.

Sec. 83.

KANSAS DEPARTMENT FOR AGING  
AND DISABILITY SERVICES

(a) On the effective date of this act, of the \$5,993 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the administration official hospitality account (039-00-1000-0204), the sum of \$4,245 is hereby lapsed.

(b) On the effective date of this act, of the \$4,187,400 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the program grants – nutrition – state match account (039-00-1000-0280), the sum of \$141,675 is hereby lapsed.

(c) On the effective date of this act, of the \$13,598,151 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the LTC – medicaid assistance – NF account (039-00-1000-0520), the sum of \$10,189,487 is hereby lapsed.

(d) On the effective date of this act, the appropriation of all moneys credited to and available in the LTC – medicaid assistance – PACE account (039-00-1000-0530) of the state general fund for the fiscal year ending June 30, 2021, is hereby lapsed.

(e) On the effective date of this act, of the \$410,661,520 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the KanCare caseloads account (039-00-1000-0610), the sum of \$50,971,616 is hereby lapsed.

(f) On the effective date of this act, of the \$35,500,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the non-KanCare caseloads account (039-00-1000-0611), the sum of \$11,033,434 is hereby lapsed.

(g) On the effective date of this act, of the \$315,698,398 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the KanCare non-caseloads account (039-00-1000-0612), the sum of \$13,484,309 is hereby lapsed.

(h) On the effective date of this act, of the \$1,175,584 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the nursing facilities

regulation account (039-00-1000-0710), the sum of \$117,932 is hereby lapsed.

(i) On the effective date of this act, of the \$1,555,344 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the nursing facilities regulation – title XIX account (039-00-1000-0712), the sum of \$280,943 is hereby lapsed.

(j) On the effective date of this act, of the \$19,097,727 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the state operations account (039-00-1000-0801), the sum of \$135,021 is hereby lapsed.

(k) On the effective date of this act, of the \$2,695,622 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the alcohol and drug abuse services grants account (039-00-1000-1010), the sum of \$468,903 is hereby lapsed.

(l) On the effective date of this act, of the \$30,995,993 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the community mental health centers supplemental funding account (039-00-1000-3001), the sum of \$19,260,232 is hereby lapsed.

(m) On the effective date of this act, of the \$20,906,993 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the community aid account (039-00-1000-3004), the sum of \$3,744,663 is hereby lapsed.

(n) On the effective date of this act, of the \$13,474,925 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the mental health and intellectual disabilities aid and assistance account (039-00-1000-4001), the sum of \$6,239,508 is hereby lapsed.

(o) On the effective date of this act, of the \$8,454,142 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 133(a) of chapter 5 of the 2020 Session Laws of Kansas from the state institutions building fund in the rehabilitation and repair projects account (039-00-8100-8240), the sum of \$815 is hereby lapsed.

(p) On the effective date of this act, of the \$3,846,900 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 133(a) of chapter 5 of the 2020 Session Laws of Kansas from the state institutions building fund in the debt service – new state security hospital account (039-00-8100-8320), the sum of \$4,480 is hereby lapsed.

(q) On the effective date of this act, of the \$2,585,450 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 133(a) of chapter 5 of the 2020 Session Laws of Kansas from the state institutions building fund in the debt service – state hospitals rehabilitation and repair account (039-00-8100-8325), the sum of \$1,719 is hereby lapsed.

(r) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 74(b) of chapter 5 of the 2020 Session Laws of Kansas on the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services is hereby increased from \$7,108,000 to \$8,209,093.

(s) On the effective date of this act, of the \$11,297,103 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the Kansas neurological institute – operating expenditures account (363-00-1000-0303), the sum of \$12,259 is hereby lapsed.

(t) On the effective date of this act, of the \$41,487,497 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the Larned state hospital – operating expenditures account (410-00-1000-0103), the sum of \$433,900 is hereby lapsed.

(u) On the effective date of this act, of the \$22,858,937 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the Larned state hospital – sexual predator treatment program account (410-00-1000-0200), the sum of \$5,238 is hereby lapsed.

(v) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 74(b) of chapter 5 of the 2020 Session Laws of Kansas on the Larned state hospital fee fund (410-00-2073-2100) of the Kansas department for aging and disability services is hereby increased from \$4,746,563 to \$4,922,106.

(w) On the effective date of this act, of the \$29,208,011 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the Osawatimie state hospital – operating expenditures account (494-00-1000-0100), the sum of \$601,454 is hereby lapsed.

(x) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 74(b) of chapter 5 of the 2020 Session Laws of Kansas on the Osawatimie state hospital fee fund (494-00-2079-4200) of the Kansas department for aging and disability services is hereby increased from \$1,324,899 to \$1,475,901.

(y) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 74(b) of chapter 5 of the 2020 Session Laws of Kansas on the Osawatimie state hospital certified care fund (494-00-2079-4201) of the Kansas department for aging and disability services is hereby decreased from \$2,731,096 to \$2,085,496.

(z) On the effective date of this act, of the \$12,479,312 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the Parsons state hospital and training center – operating expenditures account (507-00-1000-0100), the sum of

\$6,589 is hereby lapsed.

(aa) On the effective date of this act, of the \$2,037,289 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the Parsons state hospital and training center – sexual predator treatment program account (507-00-1000-0200), the sum of \$88,169 is hereby lapsed.

(bb) On the effective date of this act, any unencumbered balance in the Isaac ray ups account (410-00-8100-8200) of the state institutions building fund is hereby lapsed.

(cc) During the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds as authorized by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by such agency from such moneys to submit a report on a quarterly basis, in collaboration with the Kansas department of health and environment, to the Robert G. (Bob) Bethell joint committee on home and community based services regarding the home and community-based services brain injury waiver, including the:

- (1) Number of members enrolled in such waiver at the end of the month prior to the committee meeting;
- (2) unduplicated number of such members over the course of the calendar year;
- (3) number of such members receiving services for a period longer than 2 years and longer than 4 years;
- (4) number of such members who did not receive services within a period of 60, 90 or 120 or more days after being enrolled;
- (5) number of such members who did not receive a specific waiver service within a period of 30, 60, 90 or 120 or more days prior to the date such member was officially unenrolled from such waiver;
- (6) amount of the per-member, per-month enhanced dollar rate provided to a managed care organization for each member enrolled in such waiver;
- (7) total number of members enrolled in the waiver disaggregated by county and the per capita enrollment in such waiver disaggregated by county; and
- (8) agency's progress toward new policy implementation.

(dd) During the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from the KanCare caseloads account (039-00-1000-0610) for fiscal year 2021, as authorized by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas, this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by such agency from such account in an amount not to exceed \$8,820,000 to implement a \$15 increase to the daily reimbursement rate for nursing facilities for the period commencing January 1, 2021, through April 30, 2021: *Provided*, That such reimbursement rate increase shall be reviewed by the legislative coordinating council prior to April 30, 2021: *Provided further*, That continuation of such reimbursement rate increase for the period commencing May 1, 2021, through June 30, 2021, shall be subject to approval by the

legislative coordinating council in accordance with K.S.A. 46-1202, and amendments thereto, and the legislative coordinating council acting on such matter is hereby characterized as a matter of legislative delegation: *And provided further*; That, if the legislative coordinating council approves such continuation, expenditures shall be made by the above agency from such account in an amount not to exceed \$4,410,000 to continue the \$15 increase to the daily reimbursement rate for nursing facilities for the period commencing May 1, 2021, through June 30, 2021: *Provided, however*; That, if the legislative coordinating council does not approve such continuation, then on May 1, 2021, of the amount appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas, this or any other appropriation act of the 2021 regular session of the legislature from the state general fund in the KanCare caseloads account, the sum of \$4,410,000 is hereby lapsed.

Sec. 84.

KANSAS DEPARTMENT FOR  
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

RSI crisis center base services (039-00-1000-0110).....	\$3,576,100
Comcare crisis center base services (039-00-1000-0120).....	\$1,300,000
Valeo crisis center base services (039-00-1000-0130).....	\$500,000
Salina crisis center base services (039-00-1000-0140).....	\$85,000
Administration official hospitality (039-00-1000-0204).....	\$1,748
<i>Provided</i> , That any unencumbered balance in the administration official hospitality account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.	
PASRR (039-00-1000-0210).....	\$903,780
<i>Provided</i> , That any unencumbered balance in the administration – assessments account in excess of \$100 as of June 30, 2021, is hereby reappropriated to the PASRR account for fiscal year 2022.	
Senior care act (039-00-1000-0260).....	\$5,515,000

*Provided*, That any unencumbered balance in the senior care act account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That each grant agreement with an area agency on aging for a grant from the senior care act account shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2021 by the area agency on aging, which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2021: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on

appropriations at the beginning of the 2022 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2021: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services that are determined to be the most economical services available with regard to state general fund expenditures.

Program grants – nutrition –  
state match (039-00-1000-0280).....\$3,195,725

*Provided*, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That each grant agreement with an area agency on aging for a grant from the program grants – nutrition – state match account shall require the area agency on aging to submit to the secretary for aging and disability services a report for federal fiscal year 2021 by the area agency on aging, which shall include information about the kinds of services provided and the number of persons receiving each kind of service during federal fiscal year 2021: *And provided further*; That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2022 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for federal fiscal year 2021: *And provided further*; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this account shall be placed in appropriate services that are determined to be the most economical services available with regard to state general fund expenditures.

Community services  
and programs (039-00-1000-0520).....\$3,408,664

*Provided*, That any unencumbered balance in the LTC – medicaid assistance – NF account in excess of \$100 as of June 30, 2021, is hereby reappropriated to the community services and programs account for fiscal year 2022.

Nursing facilities regulation (039-00-1000-0710).....\$1,705,824

*Provided*, That any unencumbered balance in the nursing facilities regulation account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Nursing facilities regulation –  
title XIX (039-00-1000-0712).....\$1,241,418

*Provided*, That any unencumbered balance in the nursing facilities regulation – title XIX account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

State operations (039-00-1000-0801).....\$12,977,490

*Provided*, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That expenditures may be made from this account for the purchase of professional liability insurance for physicians and dentists at any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Alcohol and drug abuse services grants (039-00-1000-1010).....\$2,915,447

*Provided*, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

CDDO support (039-00-1000-4001).....\$10,231,053

*Provided*, That any unencumbered balance in the mental health and intellectual disabilities aid and assistance account in excess of \$100 as of June 30, 2021, is hereby reappropriated to the CDDO support account for fiscal year 2022.

Community mental health centers supplemental funding (039-00-1000-3001).....\$41,334,328

*Provided*, That any unencumbered balance in the community mental health centers supplemental funding account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Regional beds funding (039-00-1000-3003).....\$11,150,000

*Provided*, That any unencumbered balance in the regional beds funding account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

BH community aid (039-00-1000-3004).....\$16,953,530

*Provided*, That any unencumbered balance in the community aid account in excess of \$100 as of June 30, 2021, is hereby reappropriated to the BH community aid account for fiscal year 2022.

KanCare caseloads (039-00-1000-0610).....\$460,285,911

*Provided*, That any unencumbered balance in the KanCare caseloads account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Non-KanCare caseloads (039-00-1000-0611).....\$27,470,000

*Provided*, That any unencumbered balance in the non-KanCare caseloads account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That all people receiving or applying for services that are funded, either partially or entirely, from the non-KanCare caseloads account shall be placed in appropriate services that are determined to be the most economical services available with regard to state general fund expenditures.

KanCare non-caseloads (039-00-1000-0612).....\$344,483,617

*Provided*, That any unencumbered balance in the KanCare non-caseloads account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *And provided further*, That the above agency shall make expenditures from the KanCare non-caseloads account during fiscal year 2022 in an amount not less than \$4,200,000 to increase provider reimbursement rates for the specialized medical care services code (T1000) under the home and community-based services technology assisted waiver to \$39 per hour for in-home registered nurse and licensed practical nurse nursing services under such waiver.

Kansas neurological institute – operating  
 expenditures (363-00-1000-0303).....\$10,192,906

*Provided*, That any unencumbered balance in the Kansas neurological institute – operating expenditures account in excess of \$100 as of June 30, 2020, is hereby reappropriated for fiscal year 2021: *Provided, however*; That expenditures from the Kansas neurological institute – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*; That expenditures shall be made from this account to assist residents of the institution to take personally used items that are constructed for use by such residents and which are hereby authorized to be transferred to such residents from the institution to communities when such residents leave the institution to reside in the communities.

Larned state hospital – operating  
 expenditures (410-00-1000-0103).....\$37,311,220

*Provided*, That any unencumbered balance in the Larned state hospital – operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from the Larned state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *Provided further*; That expenditures may be made from this account for educational services contracts, which are hereby authorized to be negotiated and entered into by Larned state hospital with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto.

Larned state hospital – sexual predator treatment  
 program (410-00-1000-0200).....\$22,740,430

*Provided*, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Osawatomic state hospital – operating  
 expenditures (494-00-1000-0100).....\$28,106,240

*Provided*, That any unencumbered balance in the Osawatomic state hospital – operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from the Osawatomic state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150.

Osawatomic state hospital – certified  
 care expenditures (494-00-1000-0101).....\$5,356,884

*Provided*, That any unencumbered balance in the Osawatomic state hospital – certified care expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Osawatomic state hospital –  
 SPTP MiCo (494-00-1000-0200).....\$907,280

Parsons state hospital and training center –  
operating expenditures (507-00-1000-0100).....\$11,066,800

*Provided*, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from the Parsons state hospital and training center – operating expenditures account for official hospitality by the superintendent shall not exceed \$150: *And provided further*; That expenditures may be made from this account for educational services contracts, which are hereby authorized to be negotiated and entered into by Parsons state hospital and training center with unified school districts or other public educational services providers: *And provided further*; That such educational services contracts shall not be subject to the competitive bidding requirements of K.S.A. 75-3739, and amendments thereto: *And provided further*; That expenditures shall be made from this account to assist residents of the institution to take personally used items that are constructed for use by such residents and which are hereby authorized to be transferred to such residents from the institution to communities when such residents leave the institution to reside in the communities.

Parsons state hospital and  
training center – sexual predator  
treatment program (507-00-1000-0200).....\$2,037,289

*Provided*, That any unencumbered balance in the Parsons state hospital and training center – sexual predator treatment program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Larned state hospital – SPTP new crimes  
reimbursement (410-00-1000-0110).....\$5,000

*Provided*, That any unencumbered balance in the Larned state hospital – SPTP new crimes reimbursement account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Title XIX fund (039-00-2595-4130).....No limit

*Provided*, That all receipts resulting from payments under title XIX of the federal social security act to any of the institutions under mental health and intellectual disabilities may be credited to the title XIX fund: *Provided further*; That moneys in the title XIX fund may be used for expenditures for contractual services to provide for collecting additional payments under title XVIII and title XIX of the federal social security act and for expenditures for premiums and surcharges required to be paid for physicians' malpractice insurance.

Kansas neurological institute title XIX  
reimbursements fund (363-00-2060-2200).....No limit

Larned state hospital title XIX

reimbursements fund (410-00-2074-2200).....	No limit
Osawatomie state hospital title XIX	
reimbursements fund (494-00-2080-4300).....	No limit
Osawatomie state hospital certified care title XIX	
reimbursements fund (494-00-2080-4301).....	No limit
Parsons state hospital title XIX	
reimbursements fund (507-00-2083-2300).....	No limit
Kansas neurological institute	
fee fund (363-00-2059-2000).....	\$1,324,436
Kansas neurological institute –	
foster grandparents program –	
federal fund (363-00-3115-3200).....	No limit
Kansas neurological institute – FGP gifts, grants,	
donations fund (363-00-7125-7400).....	No limit
Kansas neurological institute – patient	
benefit fund (363-00-7910-7100).....	No limit
Kansas neurological institute – work therapy patient	
benefit fund (363-00-7940-7200).....	No limit
Larned state hospital	
fee fund (410-00-2073-2100).....	\$4,746,563
Larned state hospital – work therapy patient	
benefit fund (410-00-7938-7200).....	No limit
Larned state hospital –	
canteen fund (410-00-7806-7000).....	No limit
Larned state hospital – patient	
benefit fund (410-00-7912-7100).....	No limit
Osawatomie state hospital –	
canteen fund (494-00-7807-5600).....	No limit
Osawatomie state hospital – patient	
benefit fund (494-00-7914-5700).....	No limit
Osawatomie state hospital – work therapy patient	
benefit fund (494-00-7939-5800).....	No limit
Osawatomie state hospital – motor pool	
revolving fund (494-00-6164-5200).....	No limit
Osawatomie state hospital – cottage revenue and	
expenditures fund (494-00-2159-2159).....	No limit
Osawatomie state hospital – training fee	
revolving fund (494-00-2602-2000).....	No limit

*Provided*, That all moneys received as fees for training activities for Osawatomie

state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Osawatomi state hospital – training fee revolving fund: *Provided further*, That the superintendent of Osawatomi state hospital is hereby authorized to fix, charge and collect fees for training activities at Osawatomi state hospital: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses of such training activities for Osawatomi state hospital.

Osawatomi state hospital  
fee fund (494-00-2079-4200).....\$1,853,027

*Provided*, That all moneys received as fees for the use of video teleconferencing equipment at Osawatomi state hospital shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Osawatomi state hospital fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, technical and program support, maintenance and replacement of associated equipment at Osawatomi state hospital: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Osawatomi state hospital fee fund.

Osawatomi state hospital certified  
care fund (494-00-2079-4201).....\$5,420,277

Parsons state hospital and training center –  
canteen fund (507-00-7808-5500).....No limit

Parsons state hospital and training center – patient  
benefit fund (507-00-7916-5600).....No limit

Parsons state hospital and  
training center – work therapy patient  
benefit fund (507-00-7941-5700).....No limit

Parsons state hospital and training center  
fee fund (507-00-2082-2200).....\$1,150,000

*Provided*, That all moneys received as fees for the use of video teleconferencing equipment at Parsons state hospital and training center shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the video teleconferencing fee account of the Parsons state hospital and training center fee fund: *Provided further*, That all moneys credited to the video teleconferencing fee account shall be used solely for the servicing, maintenance and replacement of video teleconferencing equipment at Parsons state hospital and training center: *And provided further*, That any expenditures from the video teleconferencing fee account shall be in addition to any expenditure limitation imposed on the Parsons state hospital and training center fee fund.

Special program for aging IIIB –  
federal fund (039-00-3287-3281).....No limit

Special program for aging IIIC –

federal fund (039-00-3425-3423).....	No limit
Special program for aging IIID –	
federal fund (039-00-3286-3285).....	No limit
National family caregiver support program IIIE –	
federal fund (039-00-3289-3201).....	No limit
Special program for aging IV & II –	
federal fund (039-00-3288-3297).....	No limit
Special program for aging VII-2 –	
federal fund (039-00-3358-3072).....	No limit
Special program for aging VII-3 –	
federal fund (039-00-3402-3000).....	No limit
Survey & certification –	
federal fund (039-00-3064-3064).....	No limit
<i>Provided</i> , That transfers of moneys from the survey & certification – federal fund to the state fire marshal may be made during fiscal year 2022 pursuant to a contract, which is hereby authorized to be entered into by the secretary for aging and disability services with the state fire marshal to provide fire and safety inspections for adult care homes and hospitals.	
Center for medicare/medicaid service –	
federal fund (039-00-3408-3300).....	No limit
Money follows the person grant –	
federal fund (039-00-3054-4000).....	No limit
Social service block	
grant fund (039-00-3307-3371).....	\$4,499,999
<i>Provided</i> , That each grant agreement with an area agency on aging for a grant from the social service block grant fund shall require the area agency on aging to submit to the secretary for aging and disability services a report for fiscal year 2021 by the area agency on aging, which shall include information about the kinds of services provided and the number of persons receiving each kind of service during fiscal year 2021: <i>Provided further</i> , That the secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the 2022 regular session of the legislature a report of the information contained in such reports from the area agencies on aging on expenditures for fiscal year 2021: <i>And provided further</i> ; That all people receiving or applying for services that are funded, either partially or entirely, through expenditures from this fund shall be placed in appropriate services that are determined to be the most economical services available.	
Nutrition service incentive program	
fund – federal (039-00-3552-3552).....	No limit
National bioterrorism hospital preparedness program –	
federal fund (039-00-3398-4386).....	No limit

Senior citizen nutrition  
check-off fund (039-00-2660-2610).....No limit

Quality care services fund (039-00-2999-2902).....No limit

*Provided*, That the secretary for aging and disability services, acting as the agent of the secretary of health and environment, is hereby authorized to collect the quality care assessment under K.S.A. 75-7435, and amendments thereto, and notwithstanding the provisions of K.S.A. 75-7435, and amendments thereto, all moneys received for such quality care assessments shall be deposited in the state treasury to the credit of the quality care services fund: *Provided further*; That all moneys in the quality care services fund shall be used to finance initiatives to maintain or improve the quantity and quality of skilled nursing care in skilled nursing care facilities in Kansas in accordance with K.S.A. 75-7435, and amendments thereto.

State licensure fee fund (039-00-2373-2370).....No limit

General fees fund (039-00-2524-2500).....No limit

*Provided*, That the secretary for aging and disability services is hereby authorized to collect: (1) Fees from the sale of surplus property; (2) fees charged for searching, copying and transmitting copies of public records; (3) fees paid by employees for personal long distance calls, postage, faxed messages, copies and other authorized uses of state property; and (4) other miscellaneous fees: *Provided further*; That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*; That expenditures shall be made from this fund to meet the obligations of the Kansas department for aging and disability services or to benefit and meet the mission of the Kansas department for aging and disability services.

Gifts and donations fund (039-00-7309-7000).....No limit

*Provided*, That the secretary for aging and disability services is hereby authorized to receive gifts and donations of money for services to senior citizens or purposes related thereto: *Provided further*; That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

Medical resources and  
collection fund (039-00-2363-2100).....No limit

*Provided*, That all moneys received or collected by the secretary for aging and disability services due to medicaid overpayments shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *Provided further*; That expenditures from such fund shall be made for medicaid program-related expenses and used to reduce state general fund outlays for the medicaid program: *And provided further*; That all moneys received or collected by the secretary for aging and disability services due to civil monetary penalty assessments against adult care homes shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the medical resources and collection fund: *And provided further*; That expenditures from such fund shall be made to protect the

health or property of adult care home residents as required by federal law.

Long-term care loan and grant fund (039-00-5110-5100).....	No limit
Medicare enrollment assistance program fund – federal (039-00-3468-3450).....	No limit
Medical assistance program – federal fund (039-00-3414-0442).....	No limit
DADS social welfare fund (039-00-2141-2195).....	No limit
Other state fees fund – community alcohol treatment (039-00-2661-0000).....	No limit
Substance abuse/mental health services – partnership for success – federal fund (039-00-3284-1327).....	No limit
Substance abuse/mental health supported employment – federal fund (039-00-3284-1329).....	No limit
Community mental health block grant federal fund (039-00-3310-0460).....	No limit
Prevention/treatment substance abuse federal fund (039-00-3301-0310).....	No limit
Problem gambling and addictions grant fund (039-00-2371-2371).....	\$6,959,093
Alternatives to psych. resid. treatment facilities for children federal fund (039-00-3384-4495).....	No limit
Substance abuse performance outcome grant federal fund (039-00-3881-3881).....	No limit
ADAS data collection grant federal fund (039-00-3887-3887).....	No limit
Money follows the person rebalancing demonstration federal fund (039-00-3054-4041).....	No limit
Temporary assistance for needy families – fed funds (039-00-3323-3323).....	No limit
Coop agreement to benefit homeless – federal fund (039-00-3284-1321).....	No limit
PATH federal fund (039-00-3347-4316).....	No limit
Developmental disabilities basic support federal fund (039-00-3380-3380).....	No limit

Medicare fund – SHICK (039-00-3408-3400).....No limit

Medicare fund – oasis (039-00-3408-3350).....No limit

*Provided,* That all nonfederal reimbursements received by the Kansas department for aging and disability services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and credited to the nonfederal reimbursements fund.

Mental health grants – state

highway fund (039-00-2160-2160).....\$9,750,000

*Provided,* That on July 1, 2021, October 1, 2021, January 1, 2022, and April 1, 2022, or as soon after each date as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,437,500 from the state highway fund of the department of transportation to the mental health grants – state highway fund of the Kansas department for aging and disability services.

Indirect cost fund (039-00-2193-2193).....No limit

Kansas national background check program –

federal fund (039-00-3032-3132).....No limit

Systems of care grant –

federal fund (039-00-3595-3595).....No limit

Community mental health center

improvement fund (039-00-2336-2336).....No limit

Community crisis stabilization

centers fund (039-00-2337-2337).....No limit

Clubhouse model

program fund (039-00-2338-2338).....No limit

Opioid abuse treatment & prevention

federal fund (039-00-3023-3024).....No limit

Health occupations credentialing

fee fund (039-00-2315-2315).....No limit

TBI partnership

program fund (039-00-3376-3376).....No limit

Nutrition services incentives

federal fund (039-00-3291-3305).....No limit

Mental health research grant

federal fund (039-00-3377-4321).....No limit

Senior farmer market nutrition program

federal fund (039-00-3406-3205).....No limit

Children's health insurance

federal fund (039-00-3424-3420).....No limit

Home delivery nutrition services	
federal fund (039-00-3469-3309).....	No limit
Congregate nutrition	
federal fund (039-00-3470-3311).....	No limit
Communities putting prevention to work	
federal fund (039-00-3488-3488).....	No limit
Mental health client level reporting	
federal fund (039-00-3882-3882).....	No limit
Transformation transfer initiatives	
federal fund (039-00-3888-3888).....	No limit
KDFA refunding revenue bond	
2013B fund (039-00-7111).....	No limit
Trust fund (039-00-7299).....	No limit
Larned state security hospital	
KDFA 02N-1 fund (039-00-8703).....	No limit
SRS state of Kansas KDFA 04A-1	
project fund (039-00-8704).....	No limit
State of Kansas projects	
KDFA 2010E-F fund (039-00-8705).....	No limit
Parking deduction clearing fund (039-00-9233-9200).....	No limit
Medical assistance recovery	
clearing fund (039-00-9300).....	No limit
Credit card clearing fund (039-00-9400).....	No limit

(c) On July 1, 2021, and at other times during fiscal year 2022, when necessary as determined by the secretary for aging and disability services, the director of accounts and reports shall transfer amounts specified by the secretary for aging and disability services, which amounts constitute reimbursements, credits and other amounts received by the Kansas department for aging and disability services for activities related to federal programs from specified special revenue funds of the Kansas department for aging and disability services to the indirect cost fund of the Kansas department for aging and disability services.

(d) On July 1, 2021, the superintendent of Osawatomie state hospital, upon the approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Osawatomie state hospital – canteen fund (494-00-7807-5600) to the Osawatomie state hospital – patient benefit fund (494-00-7914-5700).

(e) On July 1, 2021, the superintendent of Parsons state hospital, upon approval from the director of accounts and reports, shall transfer an amount specified by the superintendent from the Parsons state hospital and training center – canteen fund (507-00-7808-5500) to the Parsons state hospital and training center – patient benefit fund (507-00-7916-5600).

(f) On July 1, 2021, the superintendent of Larned state hospital, upon approval of the director of accounts and reports, shall transfer an amount specified by the superintendent from the Larned state hospital – canteen fund (410-00-7806-7000) to the Larned state hospital – patient benefit fund (410-00-7912-7100).

(g) During the fiscal year ending June 30, 2022, no moneys paid by the Kansas department for aging and disability services from the CDDO support account (039-00-1000-4001) of the state general fund shall be expended by the entity receiving such moneys to pay membership dues and fees to any entity that does not provide the Kansas department for aging and disability services, the legislative division of post audit or another state agency, access to its financial records upon request for such access.

(h) During the fiscal year ending June 30, 2022, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2022 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2022 from the state general fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(i) During the fiscal year ending June 30, 2022, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2022 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services to another item of appropriation for fiscal year 2022 from the state institutions building fund for the Kansas department for aging and disability services or any institution or facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(j) In addition to the other purposes for which expenditures may be made by the Kansas department for children and families from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2022 for the Kansas department for children and families and in addition to the other purposes for which expenditures may be made by the department of health and environment – division of public health from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2022 for the department of health and environment – division of public health, as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made by the secretary for children and families and the secretary of health and environment for fiscal year 2022 to enter into a contract with the secretary for aging and disability services, which is hereby authorized and directed to be entered into by such secretaries, to provide for the secretary for aging and disability services to perform the powers, duties, functions and

responsibilities prescribed by and to conduct investigations pursuant to K.S.A. 39-1404, and amendments thereto, in conjunction with the performance of such powers, duties, functions, responsibilities and investigations by the secretary for children and families and the secretary of health and environment under such statute, with respect to reports of abuse, neglect or exploitation of residents or reports of residents in need of protective services on behalf of the secretary for children and families or the secretary of health and environment, as the case may be, in accordance with and pursuant to K.S.A. 39-1404, and amendments thereto, during fiscal year 2022: *Provided*, That, in addition to the other purposes for which expenditures may be made by the Kansas department for aging and disability services from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2022 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2022 to provide for the performance of such powers, duties, functions and responsibilities and to conduct such investigations: *Provided further*, That, the words and phrases used in this subsection shall have the meanings respectively ascribed thereto by K.S.A. 39-1401, and amendments thereto.

(k) On October 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$550,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the domestic violence grant fund (252-00-2014-2014) of the governor's department.

(l) On October 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$150,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the child advocacy center grants fund (252-00-2024-2024) of the governor's department.

(m) On October 1, 2021, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 79-4805, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$500,000 from the problem gambling and addictions grant fund (039-00-2371-2371) of the Kansas department for aging and disability services to the community corrections special revenue fund (521-00-2447-2447) of the department of corrections.

(n) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2022, the following:

Children's mental  
 health waiver (039-00-2000-2403).....\$3,800,000

*Provided*, That any unencumbered balance in the children's mental health waiver account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(o) During the fiscal year ending June 30, 2022, the secretary for aging and disability services, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2022 from the title XIX fund (039-00-2595-4130) of the Kansas department for aging and disability services to any institution or

facility under the general supervision and management of the secretary for aging and disability services. The secretary for aging and disability services shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(p) Notwithstanding the provisions of K.S.A. 75-5958, and amendments thereto, or any other statute, and subject to appropriations, the secretary for aging and disability services may provide rate increases for nursing facilities for fiscal year 2022.

(q) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2022 by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by such agency from such moneys to operate, or contract for the operation of, eight acute inpatient psychiatric care beds for children in the city of Hays, Kansas, or the surrounding area: *Provided, however;* That expenditures for such purposes during fiscal year 2022 shall not exceed \$4,000,000.

(r) On July 1, 2021, the assistance in transition from homelessness federal fund (039-00-3347-4316) of the Kansas department for aging and disability services is hereby redesignated as the PATH federal fund (039-00-3347-4316) of the Kansas department for aging and disability services.

(s) During the fiscal year ending June 30, 2022, notwithstanding the provisions of K.S.A. 59-2968, and amendments thereto, or any other statute to the contrary:

(1) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds as authorized by this or any other appropriation act of the 2021 regular session of the legislature, on or before October 1, 2021, expenditures shall be made by such agency from such moneys to lift the moratorium on admissions to each state psychiatric hospital, as defined by K.S.A. 59-2946, and amendments thereto; and

(2) no expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds by this or any other appropriation act of the 2021 regular session of the legislature to impose a moratorium on admissions to any state psychiatric hospital, as defined by K.S.A. 59-2946, and amendments thereto.

(t) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds as authorized by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by such agency from such moneys to issue a request for proposal to solicit potential providers of services under the program of all-inclusive care for the elderly administered by the above agency for the purposes of growing the statewide provider network for such services.

(u) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds as authorized by this or any other appropriation act of the 2021 regular session of the legislature,

expenditures shall be made by such agency from such moneys to implement a process for certification and funding for certified community behavioral health clinics: *Provided*, That such agency shall certify as a certified community behavioral health clinic any community behavioral health center licensed by such agency that provides the following services: Crisis services; screening, assessment and diagnosis, including risk assessment; person-centered treatment planning; outpatient mental health and substance use services; primary care screening and monitoring of key indicators of health risks; targeted case management; psychiatric rehabilitation services; peer support and family supports; medication-assisted treatment; assertive community treatment; and community-based mental healthcare for military servicemembers and veterans.

(v) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds as authorized by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by such agency from such moneys to submit a report on a quarterly basis, in collaboration with the Kansas department of health and environment, to the Robert G. (Bob) Bethell joint committee on home and community based services regarding the home and community-based services brain injury waiver, including the:

- (1) Number of members enrolled in such waiver at the end of the month prior to the committee meeting;
- (2) unduplicated number of such members over the course of the calendar year;
- (3) number of such members receiving services for a period longer than 2 years and longer than 4 years;
- (4) number of such members who did not receive services within a period of 60, 90 or 120 or more days after being enrolled;
- (5) number of such members who did not receive a specific waiver service within a period of 30, 60, 90 or 120 or more days prior to the date such member was officially unenrolled from such waiver;
- (6) amount of the per-member, per-month enhanced dollar rate provided to a managed care organization for each member enrolled in such waiver;
- (7) total number of members enrolled in the waiver disaggregated by county and the per capita enrollment in such waiver disaggregated by county; and
- (8) agency's progress toward new policy implementation.

(w) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2022 to provide the same starting salary and wages for entry-level positions at Larned state hospital as are provided by the department of corrections for an entry-level position with a similar job classification or position description at Larned correctional mental health facility.

Sec. 85.

KANSAS DEPARTMENT FOR  
AGING AND DISABILITY SERVICES

(a) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 59-2968, and amendments thereto, or any other statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds by this or any other appropriation act of the 2021 or 2022 regular session of the legislature to impose a moratorium on admissions to any state psychiatric hospital, as defined by K.S.A. 59-2946, and amendments thereto.

Sec. 86.

KANSAS DEPARTMENT FOR  
CHILDREN AND FAMILIES

(a) On the effective date of this act, of the \$116,260,716 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 76(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the state operations (including official hospitality) account (629-00-1000-0013), the sum of \$823,420 is hereby lapsed.

(b) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Youth services and

assistance account (629-00-1000-7020).....\$966,147

Sec. 87.

KANSAS DEPARTMENT FOR  
CHILDREN AND FAMILIES

(a) There is appropriated for the above agency (a) from the state general fund for the fiscal year ending June 30, 2022, the following:

State operations (including

official hospitality) (629-00-1000-0013).....\$115,556,059

*Provided*, That any unencumbered balance in the state operations (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Youth services aid

and assistance (629-00-1000-7020).....\$220,433,685

*Provided*, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That in addition to other purposes for which expenditures may be made by the above agency from the youth services aid and assistance account for

fiscal year 2022, an amount not to exceed \$300,000 shall be expended by the above agency from such account for fiscal year 2022 for the purposes of funding the hope ranch for women pilot program: *And provided further*; That in addition to other purposes for which expenditures may be made by the above agency from such account for fiscal year 2022, expenditures shall be made by the above agency from such account for fiscal year 2022 for the creation of a report detailing activities conducted during the hope ranch for women pilot program, including the number of women served, the demographics of women served, the client service needs at intake, the length of services, the reasons for any cases closing, the recidivism rate, the client costs and the average project costs, and a budget itemization report and budget transaction report: *And provided further*; That the secretary for children and families shall submit such report to the house of representatives committee on social services budget on or before January 31, 2022.

Vocational rehabilitation aid  
and assistance (629-00-1000-5010).....\$2,708,100

*Provided*, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That expenditures may be made from this account for the acquisition of durable medical equipment and assistive technology devices: *And provided further*; That expenditures may be made from this account by the secretary for children and families for the purchase of workers compensation insurance for consumers of vocational rehabilitation services and assessments at work sites and job tryout sites throughout the state.

Cash assistance (629-00-1000-2010).....\$7,496,869

*Provided*, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Social welfare fund (629-00-2195-0110).....No limit

Other state fees fund (629-00-2220).....No limit

Child welfare services state grants  
federal fund (629-00-3306-0341).....No limit

Social services block grant –  
federal fund (629-00-3307-0370).....No limit

Temporary assistance to needy families  
federal fund (629-00-3323-0530).....No limit

Title IV-B promoting safe/stable families  
federal fund (629-00-3302).....No limit

Title IV-E foster care  
federal fund (629-00-3337-0419).....No limit

Medical assistance program	
federal fund (629-00-3414).....	No limit
Rehabilitation services – vocational rehabilitation	
federal fund (629-00-3315).....	No limit
SRS enterprise fund (629-00-5105).....	No limit
Child support enforcement	
federal fund (629-00-3316).....	No limit
Low-income home energy assistance	
federal fund (629-00-3305-0350).....	No limit
Children's health insurance program	
federal fund (629-00-3424-0541).....	No limit
SNAP employment and training exchange	
federal fund (629-00-3452-3452).....	No limit
Commodity supp food program	
federal fund (629-00-3308-3215).....	No limit
Social security – disability insurance	
federal fund (629-00-3309-0390).....	No limit
Supplemental nutrition assistance program	
federal fund (629-00-3311).....	No limit
Emergency food assistance program	
federal fund (629-00-3313-2310).....	No limit
Child care and development	
mandatory and matching	
federal fund (629-00-3318-0523).....	No limit
Chafee education and	
training vouchers program	
federal fund (629-00-3338-0425).....	No limit
Adoption incentive payments	
federal fund (629-00-3343-0426).....	No limit
Adoption assistance	
federal fund (629-00-3357-0418).....	No limit
Chafee foster care independence program	
federal fund (629-00-3365-0417).....	No limit
Refugee and entrant assistance	
federal fund (629-00-3378).....	No limit
Headstart federal fund (629-00-3379-6323).....	No limit
Developmental disabilities basic support	
federal fund (629-00-3380-4360).....	No limit
Children's justice grants to states	

federal fund (629-00-3381-7320).....	No limit
Child abuse and neglect state grants	
federal fund (629-00-3382-7210).....	No limit
Independent living state grants	
federal fund (629-00-3387).....	No limit
Independent living services for older blind	
federal fund (629-00-3388-5313).....	No limit
Supported employment for	
individuals with severe disabilities	
federal fund (629-00-3389).....	No limit
Child care discretionary	
federal fund (629-00-3028-0522).....	No limit
SNAP technology project for success	
federal fund (629-00-3327-3327).....	No limit
Project maintenance	
reserve fund (629-00-2214-0150).....	No limit
Receipt suspense	
clearing fund (629-00-9212-0910).....	No limit
Client assistance payment	
clearing fund (629-00-9214-0930).....	No limit
Child support collections	
clearing fund (629-00-9218-0970).....	No limit
EBT settlement fund (629-00-9219-0980).....	No limit
CAP settlement fund (629-00-9219-0990).....	No limit
Credit card clearing fund (629-00-9405-9400).....	No limit
TEFAP trade	
mitigation program (629-00-3409-2315).....	No limit
ESSA preschool develop grant	
federal fund (629-00-3608-0525).....	No limit
Coronavirus relief fund (629-00-3753).....	No limit
Child-care disaster federal fund (629-00-3597-3597).....	No limit
Prevention services grant fund (629-00-3813-0428).....	No limit

(c) During the fiscal year ending June 30, 2022, the secretary for children and families, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2022, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2022 from the state general fund for the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such

certification to the director of legislative research.

(d) During the fiscal year ending June 30, 2022, the secretary for children and families, with the approval of the director of the budget and subject to the provisions of federal grant agreements, may transfer moneys received under a federal grant that are credited to a federal fund of the Kansas department for children and families to another federal fund of the Kansas department for children and families. The secretary for children and families shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2022, the following:

Child care (629-00-2000-2406).....\$5,033,679

*Provided*, That any unencumbered balance in the child care account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Family preservation (629-00-2000-2413).....\$3,241,062

*Provided*, That any unencumbered balance in the family preservation account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(f) During the fiscal year ending June 30, 2022, notwithstanding the provisions of K.S.A. 39-709, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2022 by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to apply for a waiver from the United States department of agriculture for the time-limited assistance provisions for able-bodied adults between 18 and 49 years of age without dependents in the household under the food assistance program if the secretary can establish that there are insufficient jobs for the employment for such individuals using criteria that is not less restrictive than the criteria established under 7 C.F.R. § 273.24.

(g) During the fiscal year ending June 30, 2022, notwithstanding the provisions of K.S.A. 39-709, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2022 by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to allow any single parent of a child who is between three months and one year of age to fulfill work participation requirements under the cash assistance program by engaging in in-home parenting skills training.

Sec. 88.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Kansas guardianship program (261-00-1000-0300).....\$2,847

Sec. 89.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Kansas guardianship program (261-00-1000-0300).....\$1,375,959

*Provided*, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Sec. 90.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Supplemental state aid (652-00-1000-0840).....\$148,000

*Provided*, That any unencumbered balance in the supplemental state aid account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Juvenile transitional crisis center pilot (652-00-1000-0210).....\$300,000

*Provided*, That expenditures from the juvenile transitional crisis center pilot project account shall be used by the above agency during fiscal year 2022 to develop a regional crisis center pilot project at the Beloit special education cooperative, founded on research and evidence-based practices designed to meet the unique social and emotional needs of students identified as at-risk or with disabilities: *Provided further*, That such project shall provide individualized programming to attain such student's high school diploma and job skills while working through the social skills program: *And provided further*, That the commissioner of education shall provide an update on the implementation of the pilot project developed by this proviso to the legislature on or before the first day of the 2022 regular legislative session.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansans read Dolly Parton imagination library fund.....No limit

*Provided*, That expenditures from the Kansans read Dolly Parton imagination library fund shall be used by the children's cabinet to develop and implement a statewide program for the purpose of cooperating with the Dolly Parton imagination library to provide books for all Kansas children five years of age and under free of charge: *Provided further*, That the program shall be funded using only federal grant funds

awarded for such program or from private gifts and donations made for such a program: *And provided further*; That the above agency is hereby authorized to accept gifts and donations of money during fiscal year 2022 for the Kansans read Dolly Parton imagination library program or purposes related thereto.

(c) During the fiscal year ending June 30, 2022, notwithstanding the provisions of K.S.A. 72-5145, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2022 as authorized by section 80 of chapter 5 of the 2020 Session Laws of Kansas, this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys for the state board of education to determine the amount of the supplemental state aid unified school district No. 499, Galena, is to receive for school year 2021-2022 by determining the assessed valuation per student of such school district for the current school year and ranking such district on the basis of the amount of such assessed valuation per student in accordance with the provisions of K.S.A. 72-5145, and amendments thereto.

Sec. 91.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Supplemental state aid (652-00-1000-0840).....\$90,000

*Provided*, That any unencumbered balance in the supplemental state aid account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansans read Dolly Parton imagination library fund.....No limit

*Provided*, That expenditures from the Kansans read Dolly Parton imagination library fund shall be used by the children's cabinet to develop and implement a state wide program for the purpose of cooperating with the Dolly Parton imagination library to provide books for all Kansas children five years of age and under free of charge: *Provided further*; That the program shall be funded using only federal grant funds awarded for such program or from private gifts and donations made for such a program: *And provided further*; That the above agency is hereby authorized to accept gifts and donations of money during fiscal year 2023 for the Kansans read Dolly Parton imagination library program or purposes related thereto.

(c) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 72-5145, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2023 as authorized by this or other appropriation act of the 2021 or 2022 regular

session of the legislature, expenditures shall be made by the above agency from such moneys for the state board of education to determine the amount of the supplemental state aid unified school district No. 499, Galena, is to receive for school year 2022-2023 by determining the assessed valuation per student of such school district for the current school year and ranking such district on the basis of the amount of such assessed valuation per student in accordance with the provisions of K.S.A. 72-5145, and amendments thereto.

Sec. 92.

STATE LIBRARY

(a) On the effective date of this act, of the \$1,430,961 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 81(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the operating expenditures account (434-00-1000-0300), the sum of \$135,088 is hereby lapsed.

(b) On the effective date of this act, of the \$1,703,418 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 81(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the grants to libraries and library systems – interlibrary loan development account (434-00-1000-0420), the sum of \$567,951 is hereby lapsed.

(c) On the effective date of this act, of the \$447,784 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 81(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the grants to libraries and library systems - talking books services account (434-00-1000-0430), the sum of \$17,381 is hereby lapsed.

Sec. 93.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (434-00-1000-0300).....\$1,293,285

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$755.

Grants to libraries and library systems – grants  
in aid (434-00-1000-0410).....\$1,067,914

*Provided*, That any unencumbered balance in the grants to libraries and library systems – grants in aid account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Grants to libraries and library systems – interlibrary loan development (434-00-1000-0420).....\$1,133,467

Provided, That any unencumbered balance in the grants to libraries and library systems – interlibrary loan development account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Grants to libraries and library systems – talking book services (434-00-1000-0430).....\$433,985

Provided, That any unencumbered balance in the grants to libraries and library systems – talking book services account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State library fund (434-00-2076-2500).....No limit

Federal library services and technology act – fund (434-00-3257-3000).....No limit

Grants and gifts fund (434-00-7304-7000).....No limit

Statewide database contribution (434-00-7304-7003).....No limit

Coronavirus relief fund (434-00-3753).....No limit

Sec. 94.

KANSAS STATE SCHOOL FOR THE BLIND

(a) On the effective date of this act, of the \$5,655,281 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 82(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the operating expenditures account (604-00-1000-0303), the sum of \$9 is hereby lapsed.

Sec. 95.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (604-00-1000-0303).....\$5,707,392

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: Provided, however; That expenditures from the operating expenditures for official hospitality shall not exceed \$2,000.

Arts for the handicapped (604-00-1000-0502).....\$133,847

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (604-00-2093-2000).....	No limit
Local services	
reimbursement fund (604-00-2088-2500).....	No limit
<i>Provided</i> , That the Kansas state school for the blind is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: <i>Provided further</i> , That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.	
Student activity	
fees fund (604-00-2146-2100).....	No limit
Special bequest fund (604-00-7333-5001).....	No limit
Gift fund (604-00-7329-5100).....	No limit
Nine month payroll	
clearing fund (604-00-7714-5200).....	No limit
Education improvement –	
federal fund (604-00-3898-3750).....	No limit
Preparation and mentoring of teachers of the	
blind and visually impaired –	
federal fund (604-00-3184-3180).....	No limit
Special education state grants –	
federal fund (604-00-3234-3234).....	No limit
Federal school lunch –	
federal fund (604-00-3530-3528).....	No limit
School breakfast program –	
federal fund (604-00-3529-3529).....	No limit
Deaf-blind project –	
federal fund (604-00-3583-3583).....	No limit
Safe schools – federal fund (604-00-3569-3569).....	No limit
Child and adult care food program –	
federal fund (604-00-3531-3531).....	No limit
Summer food service program –	
federal fund (604-00-3591-3591).....	No limit
Coronavirus relief fund (604-00-3753).....	No limit

Sec. 96.

(a) On the effective date of this act, of the \$9,519,915 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 83(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the operating expenditures account (610-00-1000-0303), the sum of \$401 is hereby lapsed.

(b) On the effective date of this act, of the \$400,250 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 137(a) of chapter 5 of the 2020 Session Laws of Kansas from the state institutions building fund in the rehabilitation and repair projects account (610-00-8100-8108), the sum of \$7,335 is hereby lapsed.

(c) On the effective date of this act, any unencumbered balance in the facilities conservation improvement debt service account (610-00-8100-8120) of the state institutions building fund is hereby lapsed.

Sec. 97.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (610-00-1000-0303).....\$9,600,683

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (610-00-2094-2000).....No limit

Local services

    reimbursement fund (610-00-2091-2200).....No limit

*Provided*, That the Kansas state school for the deaf is hereby authorized to assess and collect a fee of 20% of the total cost of services provided to local school districts: *Provided further*; That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local services reimbursement fund.

Student activity fees fund (610-00-2147-2100).....No limit

Special bequest fund (610-00-7321-5500).....No limit

Special workshop fund (610-00-7504-5800).....No limit

Gift fund (610-00-7330-5600).....No limit

Nine month payroll

    clearing fund (610-00-7715-5700).....No limit

Special education state grants –  
 federal fund (610-00-3234-3234).....No limit

School breakfast program –  
 federal fund (610-00-3529-3529).....No limit

School lunch program  
 federal fund (610-00-3530-3530).....No limit

Special education preschool grants –  
 federal fund (610-00-3535-3535).....No limit

Universal newborn screening –  
 federal fund (610-00-3459-3459).....No limit

Summer food service program –  
 federal fund (610-00-3591-3591).....No limit

Early hearing detection and intervention –  
 federal fund (610-00-3612-3612).....No limit

Coronavirus relief fund (610-00-3753).....No limit

Sec. 98.

STATE HISTORICAL SOCIETY

(a) On the effective date of this act, of the \$4,234,976 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 84(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the operating expenditures account (288-00-1000-0083), the sum of \$22,042 is hereby lapsed.

(b) On the effective date of this act, the \$20,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 84(e) of chapter 5 of the 2020 Session Laws of Kansas from the state economic development initiatives fund in humanities Kansas – crossroads conversations account (288-00-1900), is hereby lapsed.

Sec. 99.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (288-00-1000-0083).....\$3,793,494

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Humanities Kansas (288-00-1000-0600).....\$45,451

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other

than refunds authorized by law shall not exceed the following:

- Vehicle repair and replacement fund (288-00-6116-6000).....No limit
- General fees fund (288-00-2047-2300).....No limit
- Archeology fee fund (288-00-2638-2350).....No limit

*Provided*, That expenditures may be made from the archeology fee fund for operating expenses for providing archeological services by contract: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing archeological services by contract: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the archeology fee fund.

- Conversion of materials and equipment fund (288-00-2436-2700).....No limit
- Soil/water conservation fund (288-00-3083-3110).....No limit
- Microfilm fees fund (288-00-2246-2370).....No limit

*Provided*, That expenditures may be made from the microfilm fees fund for operating expenses for providing imaging services: *Provided further*, That the state historical society is hereby authorized to fix, charge and collect fees for the sale of such services: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing imaging services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the microfilm fees fund.

- Records center fee fund (288-00-2132-2100).....No limit

*Provided*, That expenditures may be made from the records center fee fund for operating expenses for state records and for the trusted digital repository for electronic government records.

- Historic properties fee fund (288-00-2164-2310).....No limit
- Historic preservation grants in aid fund (288-00-3089-3700).....No limit
- Historic preservation overhead fees fund (288-00-2916-2380).....No limit
- National historic preservation act fund – local (288-00-3089-3000).....No limit

- Private gifts, grants and bequests fund (288-00-7302-7000).....No limit

- Museum and historic sites visitor donation fund (288-00-2142-2250).....No limit

Insurance collection replacement/  
 reimbursement fund (288-00-2182-2320).....No limit

Heritage trust fund (288-00-7379-7600).....No limit

*Provided*, That expenditures from the heritage trust fund for state operations shall not exceed \$84,670.

Land survey fee fund (288-00-2234-2330).....No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 58-2011, and amendments thereto, expenditures may be made by the above agency from the land survey fee fund for the fiscal year 2022 for operating expenditures that are not related to administering the land survey program.

National trails fund (288-00-3553-3353).....No limit

State historical society  
 facilities fund (288-00-2192-2420).....No limit

Historic properties fund (288-00-2144-2400).....No limit

Law enforcement  
 memorial fund (288-00-7344-7300).....No limit

Highway planning/  
 construction fund (288-00-3333-3333).....No limit

Coronavirus relief fund (288-00-3753).....No limit

Save America's  
 treasures fund (288-00-3923-4000).....No limit

Archeology federal fund (288-00-3083-3110).....No limit

Property sale proceeds fund (288-00-2414-2500).....No limit

*Provided*, That proceeds from the sale of property pursuant to K.S.A. 75-2701, and amendments thereto, shall be deposited in the state treasury and credited to the property sale proceeds fund.

(c) Notwithstanding the provisions of K.S.A. 75-2721, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2022, as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from the state general fund or from any special revenue fund or funds for fiscal year 2022 to fix admission fees at constitution hall in Lecompton, Kansas, at \$3 per adult single admission, \$1 per student single admission, \$2 per student for guided tours and \$3 per adult for guided tours: *Provided, however*; That such admission fees may be increased by the above agency during fiscal year 2022 if all moneys from such admission fees are invested in constitution hall and the total amount of such admission fees exceeds the amount of the Lecompton historical society's constitution hall promotional expenses as determined by the average of such promotional expenses for the preceding three calendar years: *Provided further*; That the state historical society may request annual financial

statements from the Lecompton historical society for the purpose of calculating such three-year average of promotional expenses.

Sec. 100.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (246-00-1000-0013).....\$34,797,238

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Master's-level nursing capacity (246-00-1000-0100).....\$135,393

Kansas wetlands education center at Cheyenne bottoms (246-00-1000-0200).....\$255,845

*Provided*, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Kansas academy of math and science (246-00-1000-0300).....\$734,520

*Provided*, That any unencumbered balance in the Kansas academy of math and science account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (246-00-5185-5050).....No limit

*Provided*, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund (246-00-2035-2000).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*; That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (246-00-2510-2040).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Special events; technology equipment; Gross coliseum services; capital improvements; performing arts center services; farm income; choral music clinic; yearbook; off-campus tours; memorial union activities; student activity (unallocated); tiger media;

conferences, clinics and workshops – noncredit; summer laboratory school; little theater; library services; student affairs; speech and debate; student government; counseling center services; interest on local funds; student identification cards; nurse education programs; athletics; placement fees; virtual college classes; speech and hearing; child care services for dependent students; computer services; interactive television contributions; midwestern student exchange; departmental receipts for all sales, refunds and other collections not specifically enumerated above: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further,* That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further,* That expenditures may be made from the restricted fees fund for official hospitality.

Education opportunity act –

- federal fund (246-00-3394-3500).....No limit
- Service clearing fund (246-00-6000).....No limit

*Provided,* That the service clearing fund shall be used for the following service activities: Computer services, storeroom for official supplies including office supplies, paper products, janitorial supplies, printing and duplicating, car pool, postage, copy center, and telecommunications and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

- Commencement fees fund (246-00-2511-2050).....No limit
- Health fees fund (246-00-5101-5000).....No limit

*Provided,* That expenditures from the health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

- Student union fees fund (246-00-5102-5010).....No limit

*Provided,* That expenditures may be made from the student union fees fund for official hospitality.

Kansas career work study

- program fund (246-00-2548-2060).....No limit

Economic opportunity act –

- federal fund (246-00-3034-3000).....No limit

Faculty of distinction	
matching fund (246-00-2471-2400).....	No limit
Nine month payroll clearing	
account fund (246-00-7709-7060).....	No limit
Federal Perkins student	
loan fund (246-00-7501-7050).....	No limit
Housing system	
revenue fund (246-00-5103-5020).....	No limit
<i>Provided, That expenditures may be made from the housing system revenue fund for official hospitality.</i>	
Institutional overhead fund (246-00-2900-2070).....	No limit
Oil and gas royalties fund (246-00-2036-2010).....	No limit
Housing system	
suspense fund (246-00-5707-5090).....	No limit
Sponsored research	
overhead fund (246-00-2914-2080).....	No limit
Kansas distinguished	
scholarship fund (246-00-7204-7000).....	No limit
Temporary deposit fund (246-00-9013-9400).....	No limit
Federal receipts	
suspense fund (246-00-9105-9410).....	No limit
Suspense fund (246-00-9134-9420).....	No limit
Mandatory retirement annuity	
clearing fund (246-00-9136-9430).....	No limit
Voluntary tax shelter annuity	
clearing fund (246-00-9163-9440).....	No limit
Agency payroll deduction	
clearing fund (246-00-9197-9450).....	No limit
Pre-tax parking	
clearing fund (246-00-9220-9200).....	No limit
University payroll fund (246-00-9800).....	No limit
University federal fund (246-00-3141-3140).....	No limit

*Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: Provided further, That expenditures may be made by the above agency from this fund to procure a policy of accident, personal liability and excess automobile liability insurance insuring volunteers participating in the senior companion program against loss in accordance with specifications of federal grant guidelines as provided in*

K.S.A. 75-4101, and amendments thereto.

Coronavirus relief federal fund (246-00-3753).....No limit

Governor's emergency education relief fund (246-00-3638).....No limit

(c) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Fort Hays state university of not to exceed \$125,000 from the general fees fund (246-00-2035-2000) to the federal Perkins student loan fund (246-00-7501-7050).

Sec. 101.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Kansas state university polytechnic campus (including official hospitality) (367-00-1000-0150).....\$160,080

(b) On the effective date of this act, of the \$93,770,628 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 87(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the operating expenditures (including official hospitality) account (367-00-1000-0003), the sum of \$11,652 is hereby lapsed.

(c) On the effective date of this act, of the \$6,077,393 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 87(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the global food systems account (367-00-1000-0190), the sum of \$1,077,393 is hereby lapsed.

(d) On the effective date of this act, of the \$137,436 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 87(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the midwest institute for comparative stem cell biology account (367-00-1000-0170), the sum of \$7,603 is hereby lapsed.

Sec. 102.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (367-00-1000-0003).....\$99,234,360

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby

reappropriated for fiscal year 2022.

Midwest institute for comparative stem cell biology (367-00-1000-0170).....\$127,178

*Provided*, That any unencumbered balance in the midwest institute for comparative stem cell biology account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Global food systems (367-00-1000-0190).....\$4,897,768

*Provided*, That unencumbered balance in the global food systems account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That all moneys in the global food systems account expended for fiscal year 2022 shall be matched by Kansas state university on a \$1-for-\$1 basis from other moneys of Kansas state university: *And provided further*; That Kansas state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how the global food systems-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2022.

Kansas state university polytechnic campus (including official hospitality) (367-00-1000-0150).....\$6,991,557

*Provided*, That any unencumbered balance in the Kansas state university polytechnic campus (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (367-00-5181).....No limit

*Provided*, That expenditures may be made from the parking fees fund for capital improvement projects for parking improvements.

Faculty of distinction matching fund (367-00-2472-2500).....No limit

General fees fund (367-00-2062-2000).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*; That expenditures may be made from the general fees fund for official hospitality.

Interest on endowment fund (367-00-7100-7200).....No limit

Restricted fees fund (367-00-2520-2080).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Technology equipment; flight services; communications and marketing; computer services; copy centers; standardized test fees; placement center; recreational services; polytechnic campus; motor pool; music; professorships; student activities fees; biology

sales and services; chemistry; field camps; physics storeroom; sponsored research, sponsored instruction, sponsored public service, equipment and facility grants; contract-post office; library collections; sponsored construction or improvement projects; attorney, educational and personal development, human capital services; student financial assistance; application for undergraduate programs; speech and hearing; gifts; human development and family research and training; college of education – publications and services; guaranteed student loan application processing; auditorium receipts; catalog sales; interagency consulting; sales and services of educational programs; transcript fees; facility use fees; college of health and human sciences storeroom; college of health and human sciences sales; application for post baccalaureate programs; art exhibit fees; college of education – Kansas careers; foreign student application fee; student union repair and replacement reserve; departmental receipts for all sales, refunds and other collections; institutional support fee; miscellaneous renovations – construction; speech receipts; art museum; exchange program; flight training lab fees; administrative reimbursements; parking fees; printing; short courses and conferences; student government association receipts; late registration fee; engineering equipment fee; architecture equipment fee; biotechnology facility; English language program; international programs; Bramlage coliseum; planning and analysis; telecommunications; comparative medicine; Marlatt memorial park; departmental student organization receipts; other specifically designated receipts not available for general operations of the university: *Provided, however,* That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further,* That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further,* That expenditures from the restricted fees fund may be made for the purchase of insurance for operation and testing of completed project aircraft and for operation of aircraft used in professional pilot training, including coverage for public liability, physical damage, medical payments and voluntary settlement coverages: *And provided further,* That expenditures may be made from this fund for official hospitality.

Kansas career work study program fund (367-00-2540-2090).....	No limit
Service clearing fund (367-00-6003-7000).....	No limit

*Provided,* That the service clearing fund shall be used for the following service activities: Supplies stores; telecommunications services; photographic services; K-State printing services; postage; facilities services; facilities carpool; public safety services; facility planning services; facilities storeroom; computing services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Sponsored research overhead fund (367-00-2901-2160).....	No limit
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*Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.

- Housing system  
suspense fund (367-00-5708-4830).....No limit
- Housing system operations fund (367-00-5163).....No limit

*Provided*, That expenditures may be made from the housing system operations fund for official hospitality.

- State emergency fund –  
building repair (367-00-2451-2451).....No limit
- Housing system repair, equipment and  
improvement fund (367-00-5641-4740).....No limit
- Coliseum system repair, equipment and  
improvement fund (367-00-5642-4750).....No limit

- Mandatory retirement annuity  
clearing fund (367-00-9137-9310).....No limit
- Student health fees fund (367-00-5109-4410).....No limit

*Provided*, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

- Scholarship funds fund (367-00-7201-7210).....No limit
- Perkins student loan fund (367-00-7506-7260).....No limit
- Federal award advance payment –  
U.S. department of education  
awards fund (367-00-3855-3350).....No limit

- State agricultural  
university fund (367-00-7400-7250).....No limit

- Salina – student union  
fees fund (367-00-5114-4420).....No limit

- Salina – housing system  
revenue fund (367-00-5117-4430).....No limit

- Salina – housing system  
suspense fund (367-00-5724-4890).....No limit

- Kansas comprehensive  
grant fund (367-00-7223-7300).....No limit

- Temporary deposit fund (367-00-9020-9300).....No limit

- Business procurement card  
clearing fund (367-00-9102-9400).....No limit

- Suspense fund (367-00-9146-9320).....No limit

Voluntary tax shelter annuity clearing fund (367-00-9164-9330).....	No limit
Agency payroll deduction clearing fund (367-00-9186-9360).....	No limit
Pre-tax parking clearing fund (367-00-9221-9200).....	No limit
Salina student life center revenue fund (367-00-5111-5120).....	No limit
Child care facility revenue fund (367-00-5125-5101).....	No limit
University federal fund (367-00-3142).....	No limit
Animal health research fund (367-00-2053-2053).....	No limit
National bio agro-defense facility fund (367-00-2058-2058).....	No limit
<i>Provided, That all expenditures from the national bio agro-defense facility fund shall be approved by the president of Kansas state university.</i>	
Kan-grow engineering fund – KSU (367-00-2154-2154).....	No limit
Payroll clearing fund (367-00-9801-9000).....	No limit
Fed ext emp clearing fund – employee deduct (367-00-9182-9340).....	No limit
Fed ext emp clearing fund – employer deduct (367-00-9183-9350).....	No limit
Temp dep fund external source (367-00-9065-9305).....	No limit
Nine month payroll clearing fund (367-00-7710-7270).....	No limit
Interest bearing grants fund (367-00-2630-2630).....	No limit
<i>Provided, That, on or before the 10<sup>th</sup> day of each month commencing during fiscal year 2022, the director of accounts and reports shall transfer from the state general fund to the interest bearing grants fund interest earnings based on: (1) The average daily balance in the interest bearing grants fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.</i>	
Student union renovation expansion revenue fund (367-00-5191-4650).....	No limit
Coronavirus relief federal fund (367-00-3753).....	No limit
Governor's emergency education relief fund (367-00-3638).....	No limit

Sec. 103.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS  
AND AGRICULTURE RESEARCH PROGRAMS

(a) On the effective date of this act, of the \$19,422,522 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 89(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the cooperative extension service (including official hospitality) account (369-00-1000-1020), the sum of \$11,381 is hereby lapsed.

(b) On the effective date of this act, of the \$31,074,754 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 89(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the agricultural experiment stations (including official hospitality) account (369-00-1000-1030), the sum of \$9,822 is hereby lapsed.

(c) On the effective date of this act, of the \$861,991 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 89(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the wildfire suppression/state forest service account (369-00-1000-1040), the sum of \$213,689 is hereby lapsed.

(d) During the fiscal year ending June 30, 2021, no moneys appropriated from the state general fund or any special revenue fund or funds for Kansas state university or Kansas state university extension systems and agriculture research programs shall be expended on or after the effective date of this act by Kansas state university or Kansas state university extension systems and agriculture research programs, directly or indirectly, to: (1) Require participants to wear a face covering while participating in any 4-H organization, unit, event or activity; or (2) require participants to have a COVID-19 vaccination to participate in any 4-H organization, unit, event or activity.

Sec. 104.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS  
AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Cooperative extension service (including  
official hospitality) (369-00-1000-1020).....\$19,198,926

*Provided*, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Agricultural experiment stations (including  
official hospitality) (369-00-1000-1030).....\$30,721,946

*Provided*, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Wildfire suppression/state forest service (369-00-1000-1040).....\$636,710

*Provided*, That any unencumbered balance in the wildfire suppression/state forest service account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Restricted fees fund (369-00-2697-1100).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Plant pathology; Kansas artificial breeding service unit; technology equipment; professorships; agricultural experiment station, director's office; agronomy – Ashland farm; KSU agricultural research center – Hays; KSU southeast agricultural research center; KSU southwest research extension center; agronomy – general; agronomy – experimental field crop sales; entomology sales; grain science and industry – Kansas state university; food and nutrition research; extension services and publication; sponsored construction or improvement projects; gifts; comparative medicine; sales and services of educational programs; animal sciences and industry livestock and product sales; horticulture greenhouse and farm products sales; Konza prairie operations; departmental receipts for all sales, refunds and other collections; institutional support fee; KSU northwest research extension center operations; sponsored research, public service, equipment and facility grants; statistical laboratory; equipment/pesticide storage building; miscellaneous renovation – construction; other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from the Kansas agricultural mediation service account of the restricted fees fund during fiscal year 2022: *And provided further*, That expenditures may be made from this fund for official hospitality.

Fertilizer research fund (369-00-2263-1150).....No limit

Sponsored research  
overhead fund (369-00-2921-1200).....No limit

*Provided*, That expenditures may be made from the sponsored research overhead fund for official hospitality.

Federal awards – advance payment fund (369-00-3872-1360).....	No limit
Smith-Lever special program grant – federal fund (369-00-3047-1330).....	No limit
Faculty of distinction matching fund (369-00-2479-1190).....	No limit
Agricultural land use-value fund (369-00-2364-1180).....	No limit
University federal fund (369-00-3144).....	No limit
Coronavirus relief federal fund (369-00-3753).....	No limit
Governor's emergency education relief fund (369-00-3638).....	No limit

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2022, the following:

Agricultural experiment stations (369-00-1900-1900).....	\$307,939
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(d) During the fiscal year ending June 30, 2022, no moneys appropriated from the state general fund or any special revenue fund or funds for Kansas state university or Kansas state university extension systems and agriculture research programs shall be expended on or after July 1, 2021, by Kansas state university or Kansas state university extension systems and agriculture research programs, directly or indirectly, to: (1) Require participants to wear a face covering while participating in any 4-H organization, unit, event or activity; or (2) require participants to have a COVID-19 vaccination to participate in any 4-H organization, unit, event or activity.

Sec. 105.

KANSAS STATE UNIVERSITY  
VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (368-00-1000-5003).....	\$10,376,738
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*Provided,* That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Operating enhancement (368-00-1000-5023).....	\$4,757,733
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*Provided,* That any unencumbered balance in the operating enhancement account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further,* That all expenditures from the operating enhancement account shall be expended in accordance with the plan submitted by the board of regents for

improving the rankings of the Kansas state university veterinary medical center and shall be approved by the president of Kansas state university.

Veterinary training program for rural Kansas (368-00-1000-5013).....\$378,000

*Provided*, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (368-00-2129-5500).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Vet health center revenue fund (including official hospitality) (368-00-5160-5300).....No limit

Faculty of distinction matching fund (368-00-2478-5220).....No limit

Restricted fees fund (368-00-2590-5530).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Sponsored research, instruction, public service, equipment and facility grants; sponsored construction or improvement projects; technology equipment; pathology fees; laboratory test fees; miscellaneous renovations or construction; dean of veterinary medicine receipts; gifts; application for postbaccalaureate programs; professorship; embryo transfer unit; swine serology; rapid focal fluorescent inhibition test; comparative medicine; storerooms; departmental receipts for all sales, refunds and other collections; departmental student organization receipts; other specifically designated receipts not available for general operation of the Kansas state university veterinary medical center: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund for official hospitality.

Health professions student loan fund (368-00-7521-5710).....No limit

University federal fund (368-00-3143-5140).....No limit

Coronavirus relief federal fund (368-00-3753).....No limit

Governor's emergency education relief fund (368-00-3638).....No limit

(c) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an amount specified by the president of Kansas state university of not to exceed a total of \$15,000 from the general fees fund (368-00-2129-5500) to the health professions student loan fund (368-00-7521-5710).

Sec. 106.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (379-00-1000-0083).....\$33,574,431

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Reading recovery program (379-00-1000-0100).....\$200,862

Provided, That expenditures may be made from the reading recovery program account for official hospitality.

Nat'l board cert/future teacher academy (379-00-1000-0200).....\$121,952

Provided, That expenditures may be made from the nat'l board cert/future teacher academy account for official hospitality.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (379-00-5186).....No limit

Provided, That expenditures may be made from the parking fees fund for a capital improvement project for parking lot improvements.

General fees fund (379-00-2069-2010).....No limit

Provided, That expenditures may be made from the general fees fund to match federal grant moneys: Provided further, That expenditures may be made from the general fees fund for official hospitality.

Interest on state normal school fund (379-00-7101-7000).....No limit

Restricted fees fund (379-00-2526-2040).....No limit

Provided, That restricted fees shall be limited to receipts for the following accounts: Computer services, student activity; technology equipment; student union; sponsored research; computer services; extension classes; gifts and grants (for teaching, research

and capital improvements); capital improvements; business school contributions; state department of education (vocational); library services; library collections; interest on local funds; receipts from conferences, clinics, and workshops held on campus for which no college credit is given; physical plant reimbursements from auxiliary enterprises; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*; That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That all amounts of tuition received from students participating in the midwestern student exchange program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the midwestern student exchange account of the restricted fees fund: *And provided further*; That expenditures may be made from the restricted fees fund for official hospitality.

Service clearing fund (379-00-6004).....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Telecommunications services; state car operation; ESU press including duplicating and reproducing; postage; physical plant storeroom including motor fuel inventory; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Commencement fees fund (379-00-2527-2050).....No limit

Kansas career work study

program fund (379-00-2549-2060).....No limit

Student health fees fund (379-00-5115-5010).....No limit

*Provided*, That expenditures from the student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center.

Faculty of distinction

matching fund (379-00-2473-2400).....No limit

Bureau of educational

measurements fund (379-00-5118-5020).....No limit

National direct student

loan fund (379-00-7507-7040).....No limit

Economic opportunity act – work study –

federal fund (379-00-3128-3000).....No limit

Educational opportunity grants – federal fund (379-00-3129-3010).....	No limit
Basic opportunity grant program – federal fund (379-00-3130-3020).....	No limit
Research and institutional overhead fund (379-00-2902-2070).....	No limit
Kansas comprehensive grant fund (379-00-7224-7060).....	No limit
Housing system suspense fund (379-00-5701-5130).....	No limit
Housing system operations fund (379-00-5169-5050).....	No limit
Kansas distinguished scholarship fund (379-00-2762-2700).....	No limit
University federal fund (379-00-3145).....	No limit
<i>Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.</i>	
Twin towers project revenue fund (379-00-5120-5030).....	No limit
Nine month payroll clearing fund (379-00-7712-7050).....	No limit
Temporary deposit fund (379-00-9022-9510).....	No limit
Federal receipts suspense fund (379-00-9085-9520).....	No limit
Suspense fund (379-00-9021).....	No limit
Mandatory retirement annuity clearing fund (379-00-9138-9530).....	No limit
Voluntary tax shelter annuity clearing fund (379-00-9165-9540).....	No limit
Agency payroll deduction clearing fund (379-00-9196-9550).....	No limit
Pre-tax parking clearing fund (379-00-9222-9200).....	No limit
University payroll fund (379-00-9802).....	No limit
Leveraging educational assistance partnership federal fund (379-00-3224-3200).....	No limit
National direct student	

loan fund (379-00-7507-7040).....	No limit
Student union refurbishing fund (379-00-5161-5040).....	No limit
Housing system repairs, equipment and improvement fund (379-00-5650-5120).....	No limit
Coronavirus relief federal fund (379-00-3753).....	No limit
Governor's emergency education relief fund (379-00-3638).....	No limit

Sec. 107.

PITTSBURG STATE UNIVERSITY

(a) On the effective date of this act, of the \$1,065,834 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 94(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the school of construction account (385-00-1000-0200), the sum of \$317,665 is hereby lapsed.

(b) On the effective date of this act, of the \$1,416,639 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 94(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the polymer science program account (385-00-1000-0300), the sum of \$11,610 is hereby lapsed.

Sec. 108.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (385-00-1000-0063).....	\$36,113,281
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

School of construction (385-00-1000-0200).....	\$751,493
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*Provided*, That any unencumbered balance in the school of construction account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Polymer science program (385-00-1000-0300).....	\$1,009,386
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*Provided*, That any unencumbered balance in the polymer science program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter

lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking fees fund (385-00-5187-5060).....No limit

*Provided*, That expenditures may be made from the parking fees fund for capital improvement projects for parking lot improvements.

General fees fund (385-00-2070-2010).....No limit

*Provided*, That all moneys received for tuition received from students participating in the gorilla advantage program or the midwestern student exchange program shall be deposited in the state treasury to the credit of the general fees fund: *Provided further*; That expenditures may be made from the general fees fund to match federal grant moneys: *And provided further*; That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (385-00-2529-2040).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Computer services; capital improvements; instructional technology fee; technology equipment; student activity fee accounts; commencement fees; ROTC activities; continuing education receipts; vocational auto parts and service fees; receipts from camps, conferences and meetings held on campus; library service collections and fines; grants from other state agencies; *Midwest Quarterly*; chamber music series; contract – post office; gifts and grants; intensive English program; business and technology institute; public sector radio station activities; economic opportunity – state match; Kansas career work study; regents supplemental grants; departmental receipts, and other specifically designated receipts not available for general operations of the university: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*; That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*; That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*; That surplus restricted fees moneys generated by the music department may be transferred to the Pittsburg state university foundation, inc., for the express purpose of awarding music scholarships: *And provided further*; That expenditures may be made from this fund for official hospitality.

Service clearing fund (385-00-6005).....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Duplicating and printing services; instructional media division; office stationery and supplies; motor carpool; postage services; photo services; telephone services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Hospital and student health	
fees fund (385-00-5126-5010).....	No limit
<i>Provided, That expenditures from the hospital and student health fees fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff, including pharmacists and physical therapists, at the student health center: Provided further, That expenditures may be made from this fund for capital improvement projects for hospital and student health center improvements.</i>	
Suspense fund (385-00-9024-9510).....	No limit
Faculty of distinction	
matching fund (385-00-2474-2400).....	No limit
Perkins student loan fund (385-00-7509-7020).....	No limit
Sponsored research	
overhead fund (385-00-2903-2903).....	No limit
College work study	
federal fund (385-00-3498-3030).....	No limit
Nursing student loan fund (385-00-7508-7010).....	No limit
Housing system	
suspense fund (385-00-5703-5170).....	No limit
Housing system	
operations fund (385-00-5165-5050).....	No limit
Housing system repairs, equipment and	
improvement fund (385-00-5646-5160).....	No limit
Kansas comprehensive	
grant fund (385-00-7227-7200).....	No limit
Kansas career work study	
program fund (385-00-2552-2060).....	No limit
Nine month payroll	
clearing fund (385-00-7713-7030).....	No limit
Payroll clearing fund (385-00-9023-9500).....	No limit
Temporary deposit fund (385-00-9025-9520).....	No limit
Federal receipts	
suspense fund (385-00-9104-9530).....	No limit
BPC clearing fund (385-00-9109-9570).....	No limit
Mandatory retirement annuity	
clearing fund (385-00-9139-9540).....	No limit
Voluntary tax shelter annuity	
clearing fund (385-00-9166-9550).....	No limit
Agency payroll deduction	
clearing fund (385-00-9195-9560).....	No limit

Pre-tax parking clearing fund (385-00-9223-9200).....	No limit
University payroll fund (385-00-9803).....	No limit
University federal fund (385-00-3146).....	No limit

*Provided*, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.

Overman student center renovation fund (385-00-2820-2820).....	No limit
Student health center revenue fund (385-00-2828-2851).....	No limit
Horace Mann building renovation fund (385-00-2833).....	No limit
Revenue 2014A fund (385-00-5106-5105).....	No limit
Nurse faculty loan program federal fund (385-00-3596-3596).....	No limit
Coronavirus relief federal fund (385-00-3753).....	No limit
Governor's emergency education relief fund (385-00-3638).....	No limit

(c) During the fiscal year ending June 30, 2022, the director of accounts and reports shall transfer amounts specified by the president of Pittsburg state university of not to exceed a total of \$145,000 for all such amounts, from the general fees fund (385-00-2070-2010) to the following specified funds and accounts of funds: Perkins student loan fund (385-00-7509-7020); nursing student loan fund (385-00-7508-7010); and nurse faculty loan program federal fund (385-00-3596-3596).

Sec. 109.

UNIVERSITY OF KANSAS

(a) On the effective date of this act, of the \$6,236,815 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 96(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the geological survey account (682-00-1000-0170), the sum of \$16 is hereby lapsed.

Sec. 110.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (682-00-1000-0023).....	\$135,531,729
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Geological survey (682-00-1000-0170).....\$6,137,270

*Provided*, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That in addition to the other purposes for which expenditures may be made by the above agency from the geological survey account of the state general fund for fiscal year 2022, expenditures shall be made by the above agency from the geological survey account of the state general fund for fiscal year 2022 for seismic surveys in an amount not less than \$100,000.

Umbilical cord

matrix project (682-00-1000-0370).....\$132,905

*Provided*, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Parking facilities

revenue fund (682-00-5175-5070).....No limit

*Provided*, That expenditures may be made from the parking facilities revenue fund for capital improvement projects for parking improvements.

Faculty of distinction

matching fund (682-00-2475-2500).....No limit

General fees fund (682-00-2107-2000).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys.

Interest fund (682-00-7103-7000).....No limit

Sponsored research

overhead fund (682-00-2905-2160).....No limit

Law enforcement training

center fund (682-00-2133-2020).....No limit

*Provided*, That expenditures may be made from the law enforcement training center fund to cover the costs of tuition for students enrolled in the law enforcement training program in addition to the costs of salaries and wages and other operating expenditures for the program: *Provided further*; That expenditures may be made from the law enforcement training center fund for the acquisition of tracts of land.

Law enforcement training center

fees fund (682-00-2763-2700).....No limit

*Provided*, That all moneys received for tuition from students enrolling in the basic law enforcement training program for undergraduate or graduate credit shall be deposited in the state treasury and credited to the law enforcement training center fees fund.

Restricted fees fund (682-00-2545).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Institute for policy and social research; technology equipment; capital improvements; concert course; speech, language and hearing clinic; perceptual motor clinic; application for admission fees; named professorships; summer institutes and workshops; dramatics; economic opportunity act; executive management; continuing education programs; geology field trips; gifts and grants; extension services; counseling center; investment income from bequests; reimbursable salaries; music and art camp; child development lab preschools; orientation center; educational placement; press publications; Rice estate educational project; sponsored research; student activities; sale of surplus books and art objects; building use charges; Kansas applied remote sensing program; executive master's degree in business administration; applied English center; cartographic services; economic education; study abroad programs; computer services; recreational activities; animal care activities; geological survey; midwestern student exchange; department commercial receipts for all sales, refunds, and all other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That moneys received for student fees in any account of the restricted fees fund may be transferred to one or more other accounts of the restricted fees fund.

Service clearing fund (682-00-6006).....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Residence hall food stores; university motor pool; military uniforms; telecommunications service; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Health service fund (682-00-5136-5030).....No limit

Kansas career work study  
program fund (682-00-2534-2050).....No limit

Student union fund (682-00-5137-5040).....No limit

Federal Perkins loan fund (682-00-7512-7040).....No limit

Health professions student  
loan fund (682-00-7513-7050).....No limit

Housing system

suspense fund (682-00-5704-5150).....	No limit
Housing system	
operations fund (682-00-5142-5050).....	No limit
Housing system repairs, equipment and	
improvement fund (682-00-5621-5110).....	No limit
Educational opportunity act –	
federal fund (682-00-3842-3020).....	No limit
Loans for disadvantaged	
students fund (682-00-7510-7100).....	No limit
Prepaid tuition fees	
clearing fund (682-00-7765).....	No limit
Kansas comprehensive	
grant fund (682-00-7226-7110).....	No limit
Fire service training fund (682-00-2123-2170).....	No limit
University federal fund (682-00-3147).....	No limit
Johnson county education research	
triangle fund (682-00-2393-2390).....	No limit
Temporary deposit fund (682-00-9061-9020).....	No limit
Suspense fund (682-00-9060-9010).....	No limit
BPC clearing fund (682-00-9119-9050).....	No limit
Mandatory retirement annuity	
clearing fund (682-00-9142-9030).....	No limit
Voluntary tax shelter annuity	
clearing fund (682-00-9167-9040).....	No limit
Agency payroll deduction	
clearing fund (682-00-9193-9060).....	No limit
Pre-tax parking clearing fund (682-00-9224-9200).....	No limit
University payroll fund (682-00-9806).....	No limit
GTA/GRA emp health insurance	
clearing fund (682-00-9063-9070).....	No limit
Standard water data	
repository fund (682-00-2463-2463).....	No limit
Multicultural reser center	
construction fund (682-00-2890-2890).....	No limit
Kan-grow engineering	
fund – KU (682-00-2153-2153).....	No limit
Child care facility revenue	
bond fund (682-00-2372).....	No limit

Student recreation fitness center KDFA fund (682-00-2864-2860).....	No limit
Student union renovation revenue fund (682-00-5171-5060).....	No limit
Parking facility KDFA 1993G revenue fund (682-00-5175-5070).....	No limit
Student health facility maintenance, repair and equipment fee fund (682-00-5640-5120).....	No limit
Coronavirus relief federal fund (682-00-3753).....	No limit
Governor's emergency education relief fund (682-00-3638).....	No limit

(c) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$325,000 for all such amounts, from the general fees fund (682-00-2107-2000) to the following specified funds and accounts of funds: Federal Perkins loan fund (682-00-7512-7040); educational opportunity act – federal fund (682-00-3842-3020); university federal fund (682-00-3147-3140); health professions student loan fund (682-00-7513-7050); loans for disadvantaged students fund (682-00-7510-7100).

(d) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2022, for the water plan project or projects specified, the following:

Geological survey (682-00-1800-1810).....	\$26,841
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*Provided*, That any unencumbered balance in excess of \$100 as of June 30, 2021, in the geological survey account is hereby reappropriated for fiscal year 2022.

Sec. 111.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) On the effective date of this act, of the \$101,684,946 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 97(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the operating expenditures (including official hospitality) account (683-00-1000-0503), the sum of \$127,286 is hereby lapsed.

(b) On the effective date of this act, of the \$60,000 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 97(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the rural health bridging psychiatry account (683-00-1000-1015), the sum of \$30,000 is hereby lapsed.

(c) On the effective date of this act, of the \$1,400,035 appropriated and

reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 97(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the medical scholarships and loans psychiatry account (683-00-1000-0610), the sum of \$430,035 is hereby lapsed.

Sec. 112.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (683-00-1000-0503).....\$105,358,935

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That expenditures from this account may be used to reimburse medical residents in residency programs located in Kansas City at the university of Kansas medical center for the purchase of health insurance for residents' dependents.

Medical scholarships and loans (683-00-1000-0600).....\$4,488,171

*Provided*, That any unencumbered balance in the medical scholarships and loans account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Midwest stem cell therapy center (683-00-1000-0800).....\$749,822

*Provided*, That any unencumbered balance in the midwest stem cell therapy center account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Rural health bridging (683-00-1000-1010).....\$140,000

Medical scholarships and loans psychiatry (683-00-1000-0610).....\$970,000

*Provided*, That any unencumbered balance in the medical scholarships and loans psychiatry account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Rural health bridging psychiatry (683-00-1000-1015).....\$30,000

*Provided*, That any unencumbered balance in the rural health bridging psychiatry account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (683-00-2108-2500).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys.

Midwest stem cell therapy  
center fund (683-00-2072-2072).....\$0

Faculty of distinction  
matching fund (683-00-2476-2400).....No limit

Restricted fees fund (683-00-2551).....No limit

*Provided*, That restricted fees shall be limited to the following accounts: Technology equipment; capital improvements; computer services; expenses reimbursed by the Kansas university endowment association; postgraduate fees; pathology fees; student health insurance premiums; gift receipts; designated research collaboration; facilities use; photography; continuing education; student activity fees; student application fees; department duplicating; student health services; student identification badges; student transcript fees; loan administration fees; fitness center fees; occupational health fees; employee health; telekid care fees; area outreach fees; police fees; endowment payroll reimbursement; rental property; e-learning fees; surplus property sales; outreach air travel; student loan legal fees; hospital authority salary reimbursements; graduate medical education contracts; Kansas university physicians inc., salaries reimbursements; housestaff activity fees; anatomy cadavers; biotechnology services; energy center funded depreciation; biostatistics; electron microscope services; Wichita faculty contracts; physical therapy services; legal fee reimbursements; sponsored research; departmental commercial receipts for all sales, refunds and all other collections of receipts not specifically enumerated above; Kansas department for children and families cost-sharing: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase health insurance coverage for all students enrolled in the school of allied health, school of nursing and school of medicine.

Scientific research and development – special  
revenue fund (683-00-2926).....No limit

Kansas breast cancer  
research fund (683-00-2671-2660).....No limit

Sponsored research  
overhead fund (683-00-2907-2800).....No limit

Parking facility revenue fund –  
KC campus (683-00-5176-5550).....No limit

*Provided*, That expenditures may be made from the parking facility revenue fund – KC campus for capital improvement projects for parking improvements.

Parking fee fund –

Wichita campus (683-00-5180-5590).....No limit

*Provided*, That expenditures may be made from the parking fee fund – Wichita campus for capital improvement projects for parking improvements.

Services to hospital

authority fund (683-00-2915-2900).....No limit

Direct medical education

reimbursement fund (683-00-2918-3000).....No limit

Service clearing fund (683-00-6007).....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Printing services; purchasing storeroom; university motor pool; physical plant storeroom; photo services; telecommunications services; facilities operations discretionary repairs; animal care; instructional services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Educational nurse faculty loan

program fund (683-00-7505-7540).....No limit

Federal college work

study fund (683-00-3256-3520).....No limit

AMA education and

research grant fund (683-00-7207-7500).....No limit

Federal health professions/

primary care student

loan fund (683-00-7516-7560).....No limit

Federal nursing student

loan fund (683-00-7517-7570).....No limit

Suspense fund (683-00-9057-9500).....No limit

Federal student educational opportunity

grant fund (683-00-3255-3510).....No limit

Federal Pell grant fund (683-00-3252-3500).....No limit

Federal Perkins student

loan fund (683-00-7515-7550).....No limit

Medical loan repayment fund (683-00-7214-7520).....No limit

*Provided*, That expenditures from the medical loan repayment fund for attorney fees and litigation costs associated with the administration of the medical scholarship and loan program shall be in addition to any expenditure limitation imposed on the operating expenditures account of the medical loan repayment fund.

Medical student loan programs provider assessment fund (683-00-2625-2650).....	No limit
Graduate medical education administration reserve fund (683-00-5652-5640).....	No limit
University of Kansas medical center private practice foundation reserve fund (683-00-5659-5660).....	No limit
Robert Wood Johnson award fund (683-00-7328-7530).....	No limit
Federal scholarship for disadvantaged students fund (683-00-3094-3100).....	No limit
Temporary deposit fund (683-00-9058-9510).....	No limit
Mandatory retirement annuity clearing fund (683-00-9143-9520).....	No limit
Voluntary tax shelter annuity clearing fund (683-00-9168-9530).....	No limit
Agency payroll deduction clearing fund (683-00-9194-9600).....	No limit
Pre-tax parking clearing fund (683-00-9225-9200).....	No limit
University payroll fund (683-00-9807).....	No limit
University federal fund (683-00-3148).....	No limit
Leveraging educational assistance partnership federal fund (683-00-3223-3200).....	No limit
Johnson county education research triangle fund (683-00-2394-2390).....	No limit
Psychiatry medical loan repayment fund (683-00-7233-7233).....	No limit
Rural health bridging psychiatry fund (683-00-2218-2218).....	No limit
Cancer center research (683-00-2551-2700).....	No limit
Graduate medical education reimbursement fund (683-00-2918-3050).....	No limit
Coronavirus relief federal fund (683-00-3753).....	No limit
Governor's emergency education relief fund (683-00-3638).....	No limit

(c) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer amounts specified by the chancellor of the university of Kansas of not to exceed a total of \$125,000 for all such amounts, from the general fees fund (683-00-2108-2500) to the following funds: Federal nursing student loan fund

(683-00-7517-7570); federal student education opportunity grant fund (683-00-3255-3510); federal college work study fund (683-00-3256-3520); educational nurse faculty loan program fund (683-00-7505-7540); federal health professions/primary care student loan fund (683-00-7516-7560).

(d) During the fiscal year ending June 30, 2022, and within the limits of appropriations therefor, the university of Kansas medical center may enter into contracts to purchase additional malpractice insurance for medical students enrolled at the university of Kansas medical center while in clinical training at the university of Kansas medical center or at other health care institutions.

Sec. 113.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (715-00-1000-0003).....\$67,924,170

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Aviation research (715-00-1000-0015).....\$9,448,500

*Provided*, That any unencumbered balance in the aviation research account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That all moneys in the aviation research account expended for fiscal year 2022 shall be matched by Wichita state university on a \$1-for-\$1 basis from other moneys of Wichita state university: *And provided further*; That Wichita state university shall submit a plan to the house committee on appropriations, the senate committee on ways and means and the governor as to how aviation research-related activities create additional jobs in the state and other economic value, particularly for and with the private sector, for fiscal year 2022.

Technology transfer facility (715-00-1000-0005).....\$1,995,400

*Provided*, That any unencumbered balance in the technology transfer account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Aviation infrastructure (715-00-1000-0010).....\$4,809,450

*Provided*, That any unencumbered balance in the aviation infrastructure account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2022: *Provided further*; That during the fiscal year ending June 30, 2021, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the aviation infrastructure account for fiscal year 2022 by Wichita state university by this or other appropriation act of the 2021 regular session of the legislature, the moneys appropriated in the aviation infrastructure account for fiscal year 2022 may only be expended for training and equipment expenditures of the national center for aviation training.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

General fees fund (715-00-2112).....No limit

*Provided*, That expenditures may be made from the general fees fund to match federal grant moneys: *Provided further*, That expenditures may be made from the general fees fund for official hospitality.

Restricted fees fund (715-00-2558).....No limit

*Provided*, That restricted fees shall be limited to receipts for the following accounts: Summer school workshops; technology equipment; concert course; dramatics; continuing education; flight training; gifts and grants (for teaching, research, and capital improvements); capital improvements; testing service; state department of education (vocational); investment income from bequests; sale of surplus books and art objects; public service; veterans counseling and educational benefits; sponsored research; campus privilege fee; student activities; national defense education programs; engineering equipment fee; midwestern student exchange; departmental receipts – for all sales, refunds and other collections or receipts not specifically enumerated above: *Provided, however*, That the state board of regents, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, may amend or change this list of restricted fees: *Provided further*, That all restricted fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the appropriate account of the restricted fees fund and shall be used solely for the specific purpose or purposes for which collected: *And provided further*, That expenditures may be made from this fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance: *And provided further*, That expenditures from this fund may be made for the purchase of medical malpractice liability coverage for individuals employed on the medical staff at the student health center: *And provided further*, That expenditures may be made from this fund for official hospitality.

Service clearing fund (715-00-6008).....No limit

*Provided*, That the service clearing fund shall be used for the following service activities: Central service duplicating and reproducing bureau; automobiles; furniture stores; postal clearing; telecommunications; computer services; and such other internal service activities as are authorized by the state board of regents under K.S.A. 76-755, and amendments thereto.

Faculty of distinction  
matching fund (715-00-2477-2400).....No limit

Kansas career work study  
program fund (715-00-2536-2020).....No limit

Scholarship funds fund (715-00-7211-7000).....No limit

Sponsored research overhead fund (715-00-2908-2080).....	No limit
Economic opportunity act – federal fund (715-00-3265-3100).....	No limit
Educational opportunity grant – federal fund (715-00-3266-3110).....	No limit
Nine month payroll clearing account fund (715-00-7717-7030).....	No limit
Pell grants federal fund (715-00-3366-3120).....	No limit
Housing system suspense fund (715-00-5705-5160).....	No limit
WSU housing system depreciation and replacement fund (715-00-5800-5260).....	No limit
National direct student loan fund (715-00-7519-7010).....	No limit
WSU housing systems revenue fund (715-00-5100-5250).....	No limit
WSU housing system surplus fund (715-00-5620-5270).....	No limit
University federal fund (715-00-3149-3140).....	No limit
<i>Provided, That expenditures may be made by the above agency from the university federal fund to purchase insurance for equipment purchased through research and training grants only if such grants include money for and authorize the purchase of such insurance.</i>	
Center of innovation for biomaterials in orthopaedic research – Wichita state university fund (715-00-2750-2700).....	No limit
Kan-grow engineering fund – WSU (715-00-2155-2155).....	No limit
Aviation research fund (715-00-2052-2052).....	No limit
Temporary deposit fund (715-00-9059-9500).....	No limit
Suspense fund (715-00-9077).....	No limit
Mandatory retirement annuity clearing fund (715-00-9144-9520).....	No limit
Voluntary tax shelter annuity clearing fund (715-00-9169-9530).....	No limit
Agency payroll deduction clearing fund (715-00-9198-9400).....	No limit
Pre-tax parking	

clearing fund (715-00-9226-9200).....	No limit
Parking system project K DFA bond revenue fund (715-00-5148-5000).....	No limit
Parking system project maintenance K DFA revenue bond fund (715-00-5159-5040).....	No limit
Coronavirus relief federal fund (715-00-3753).....	No limit
Governor's emergency education relief fund (715-00-3638).....	No limit

(c) During the fiscal year ending June 30, 2022, the chief executive officer of Wichita state university, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2022 from the state general fund for Wichita state university to another item of appropriation for fiscal year 2022 from the state general fund for Wichita state university. The chief executive officer of Wichita state university shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 114.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Tuition for technical education (561-00-1000-0120).....	\$2,100,000
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(b) On the effective date of this act, of the \$4,517,649 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 101(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the operating expenditures (including official hospitality) account (561-00-1000-0103), the sum of \$1,417 is hereby lapsed.

Sec. 115.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official hospitality) (561-00-1000-0103).....	\$4,466,629
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*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That, during fiscal year 2022, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made from the operating expenditures (including official

hospitality) account for fiscal year 2022 by the state board of regents as authorized by this or other appropriation act of the 2021 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2022 for attendance at an in-state meeting by members of the state board of regents for participation in matters of educational interest to the state of Kansas, upon approval of such attendance and participation by the state board of regents: *And provided further*, That each member of the state board of regents attending an in-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature: *And provided further*, That, during fiscal year 2022, notwithstanding the provisions of any other statute and in addition to the other purposes for which expenditures may be made from the operating expenditures (including official hospitality) account for fiscal year 2022 by the state board of regents as authorized by this or other appropriation act of the 2021 regular session of the legislature, the state board of regents is hereby authorized to make expenditures from the operating expenditures (including official hospitality) account for fiscal year 2022 for attendance at an out-of-state meeting by members of the state board of regents whenever under any provision of law such members of the state board of regents are authorized to attend the out-of-state meeting or whenever the state board of regents authorizes such members to attend the out-of-state meeting for participation in matters of educational interest to the state of Kansas: *And provided further*, That each member of the state board of regents attending an out-of-state meeting so authorized shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

Midwest higher education	
commission (561-00-1000-0250).....	\$95,000
State scholarship program (561-00-1000-4300).....	\$1,035,919

*Provided*, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That expenditures may be made from the state scholarship program account for the state scholarship program under K.S.A. 74-32,239, and amendments thereto, and for the Kansas distinguished scholarship program under K.S.A. 74-3278 through 74-3283, and amendments thereto: *And provided further*, That, of the total amount appropriated in the state scholarship program account, the amount dedicated for the Kansas distinguished scholarship program shall not exceed \$25,000.

Comprehensive grant program (561-00-1000-4500).....	\$16,258,338
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*Provided*, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Ethnic minority	
scholarship program (561-00-1000-2410).....	\$296,498

*Provided*, That any unencumbered balance in the ethnic minority scholarship program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Kansas work-study program (561-00-1000-2000).....\$546,813

*Provided*, That any unencumbered balance in the Kansas work-study program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That the state board of regents is hereby authorized to transfer moneys from the Kansas work-study program account to the Kansas career work-study program fund of any institution under its jurisdiction participating in the Kansas work-study program established by K.S.A. 74-3274 et seq., and amendments thereto: *And provided further*; That all moneys transferred from this account to the Kansas career work-study program fund of any such institution shall be expended for and in accordance with the Kansas work-study program.

ROTC service scholarships (561-00-1000-4600).....\$175,335

*Provided*, That any unencumbered balance in the ROTC service scholarships account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Military service scholarships (561-00-1000-1310).....\$500,314

*Provided*, That any unencumbered balance in the military service scholarships account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That all expenditures from the military service scholarships account shall be made for scholarships awarded under the military service scholarship program act, K.S.A. 74-32,227 through 74-32,232, and amendments thereto.

Teachers scholarship program (561-00-1000-0800).....\$1,547,023

*Provided*, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

National guard educational assistance (561-00-1000-1300).....\$4,400,000

*Provided*, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That moneys in the national guard educational assistance account represent and include the profits derived from the veterans benefit game pursuant to K.S.A. 74-8724, and amendments thereto.

Career technical workforce grant (561-00-1000-2200).....\$114,075

*Provided*, That any unencumbered balance in the career technical workforce grant account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Nursing student scholarship program (561-00-1000-4100).....\$417,255

*Provided*, That any unencumbered balance in the nursing student scholarship program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Optometry education program (561-00-1000-1100).....\$107,089

*Provided*, That any unencumbered balance in the optometry education program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Municipal university  
operating grant (561-00-1000-1010).....\$12,445,987

Adult basic education (561-00-1000-0900).....\$1,457,031

Postsecondary tiered technical education  
state aid (561-00-1000-0760).....\$60,967,448

*Provided*, That if the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2022, by this or other appropriation act of the 2021 regular session of the legislature, in the postsecondary tiered technical education state aid account (561-00-1000-0760) is \$58,300,000 or greater, then the difference between the amount of moneys appropriated for the fiscal year 2022 and \$58,300,000 shall be distributed based on each eligible institution's calculated gap, according to the postsecondary tiered technical education state aid act, K.S.A. 71-1801 through 71-1810, and amendments thereto, as determined by the state board of regents: *Provided further*; That if the amount of moneys appropriated for the above agency for fiscal year 2022 is less than \$58,300,000, then each eligible institution shall receive an amount of moneys proportionally adjusted to equal the amount of moneys such eligible institution received in fiscal year 2017.

Non-tiered course credit  
hour grant (561-00-1000-0550).....\$79,995,039

*Provided*, That if the amount of moneys appropriated for the above agency for the fiscal year ending June 30, 2022, by this or other appropriation act of the 2021 regular session of the legislature, in the non-tiered course credit hour grant account is \$76,496,329 or greater, then the difference between the amount of moneys appropriated for the fiscal year 2022 and \$76,496,329 shall be distributed based on each eligible institution's calculated gap, as determined by the state board of regents.

Technology equipment at community colleges and  
Washburn university (561-00-1000-0500).....\$398,475

*Provided*, That the state board of regents is hereby authorized to make expenditures from the technology equipment at community colleges and Washburn university account for grants to community colleges and Washburn university pursuant to grant applications for the purchase of technology equipment, in accordance with guidelines established by the state board of regents.

Career technical education capital  
outlay aid (561-00-1000-0310).....\$71,585

Tuition waivers (561-00-1000-1650).....\$134,657

Nurse educator  
grant program (561-00-1000-4120).....\$188,126

*Provided*, That any unencumbered balance in the nurse educator grant program

account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That all expenditures from the nurse educator grant program account shall be made for scholarships awarded under the nurse educator service scholarship program act.

Nursing faculty and supplies  
grant program (561-00-1000-4130).....\$1,787,193

*Provided*, That any unencumbered balance in the nursing faculty and supplies grant program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That the state board of regents is hereby authorized to make grants to Kansas postsecondary educational institutions with accredited nursing programs from the nursing faculty and supplies grant program account for expansion of nursing faculty and laboratory supplies: *And provided further*, That such grants shall be either need-based or competitive and shall be matched on the basis of \$1 from the nursing faculty and supplies grant program account for \$1 from the postsecondary educational institution receiving the grant.

Tuition for technical education (561-00-1000-0120).....\$37,350,000

*Provided*, That, any unencumbered balance in the tuition for technical education account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That, notwithstanding the provisions of any other statute, in addition to the other purposes for which expenditures may be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2022, expenditures shall be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2022 for the payment of technical education tuition for adult students who are enrolled in technical education classes while obtaining a GED using the accelerating opportunity program and for the postsecondary education institution to provide a transcript to each student who completes such technical education course: *And provided further*, That, such expenditures shall be in an amount not less than \$500,000: *And provided further*, That during the fiscal year ending June 30, 2022, not later than 60 days following the class start date, expenditures shall be made by the above agency from such account for tuition reimbursement.

Governor's scholars program (561-00-1000-0950).....\$20,000

*Provided*, That any unencumbered balance in the governor's scholars program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Osteopathic medical service scholarship  
repayment fund (561-00-7216-6300).....No limit

KAN-ED services fee fund (561-00-2814-2814).....No limit

Earned indirect costs

fund – federal (561-00-3642-3600).....	No limit
Faculty of distinction program fund (561-00-7200-7050).....	No limit
Paul Douglas teacher scholarship fund – federal (561-00-3879-3950).....	No limit
GED credentials processing fees fund (561-00-2151-2100).....	No limit
Tuition waiver gifts, grants and reimbursements fund (561-00-7230-7230).....	No limit
Adult basic education – federal fund (561-00-3042-3000).....	No limit
Truck driver training fund (561-00-2172-4900).....	No limit
Improving teacher quality grant federal fund (561-00-3526-3526).....	No limit
State scholarship discontinued attendance fund (561-00-7213-6100).....	No limit
Kansas ethnic minority fellowship program fund (561-00-7238-7600).....	No limit
Private postsecondary educational institution degree authorization expense reimbursement fee fund (561-00-2643-3300).....	No limit
Substance abuse education fund – federal (561-00-3805-4000).....	No limit
Nursing service scholarship program fund (561-00-7220-6800).....	No limit
Clearing fund (561-00-9029-9100).....	No limit
Conversion of materials and equipment fund (561-00-2433-3200).....	No limit
Motorcycle safety fund (561-00-2366-2360).....	No limit
Financial aid services fee fund (561-00-2280-2800).....	No limit

*Provided*, That expenditures may be made from the financial aid services fee fund for operating expenditures directly or indirectly related to the operating costs associated with student financial assistance programs administered by the state board of regents: *Provided further*, That the chief executive officer of the state board of regents is hereby authorized to fix, charge and collect fees for the processing of applications and other activities related to student financial assistance programs administered by the state board of regents: *And provided further*, That such fees shall be fixed in order to recover all or a part of the direct and indirect operating expenses incurred for administering such programs: *And provided further*, That all moneys received for such fees shall be

deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the financial aid services fee fund.

Inservice education workshop fee fund (561-00-2266).....	No limit
Optometry education repayment fund (561-00-7203-7100).....	No limit
Teacher scholarship repayment fund (561-00-7205-7200).....	No limit
Nursing service scholarship repayment fund (561-00-7210-7400).....	No limit
Nurse educator service scholarship repayment fund (561-00-7231-7300).....	No limit
ROTC service scholarship repayment fund (561-00-7232-7232).....	No limit
Carl D. Perkins vocational and technical education – federal fund (561-00-3539-3539).....	No limit
College access challenge grant program (561-00-3880-3955).....	No limit
Kansas national guard educational assistance program repayment fund (561-00-7228-7000).....	No limit
Grants fund (561-00-2525-2500).....	No limit
Workforce development loan fund (561-00-7518-7900).....	No limit
Regents clearing fund (561-00-9052-9200).....	No limit
Private and out-of-state postsecondary educational institution fee fund (561-00-2614-2610).....	No limit
KanTRAIN federal fund (561-00-3578-3578).....	No limit
USAC E-rate program federal fund (561-00-3920-3920).....	No limit
WIOA youth activities federal fund (561-00-3039).....	No limit
WIOA adult set-aside federal fund (561-00-3270).....	No limit
WIOA dislocated workers set-aside federal fund (561-00-3428).....	No limit
Temporary assistance for needy families federal fund (561-00-3323-3323).....	No limit
Workforce data quality initiative	

federal fund (561-00-3237-3237).....	No limit
Postsecondary education performance-based incentives fund (561-00-2777-2777).....	\$125,000
Private donations, gifts, grants bequest fund (561-00-7262-7700).....	No limit
WIOA pilot demonstration research project (561-00-3237-3237).....	No limit
Coronavirus relief federal fund (561-00-3753).....	No limit
Governor's emergency education relief fund (561-00-3638).....	No limit
Kansas high school equivalency credential processing fee fund (561-00-2832-2832).....	No limit

(c) During the fiscal year ending June 30, 2022, the chief executive officer of the state board of regents, with the approval of the director of the budget, may transfer any part of any item of appropriation in an account of the state general fund for the fiscal year ending June 30, 2022, to another item of appropriation in an account of the state general fund for fiscal year 2022. The chief executive officer of the state board of regents shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research. As used in this subsection, "account": (1) Means the operating expenditures (including official hospitality) account of the state board of regents (561-00-1000-0103), the university of Kansas (682-00-1000-0023), the university of Kansas medical center (683-00-1000-0503), Kansas state university (367-00-1000-0003), Kansas state university polytechnic campus (367-00-1000-0150), Kansas state university veterinary medical center (368-00-1000-5003), Kansas state university extension systems and agriculture research programs (369-00-1000-1020) and (369-00-1000-1030), Wichita state university (715-00-1000-0003), Emporia state university (379-00-1000-0083), Pittsburg state university (385-00-1000-0063) and Fort Hays state university (246-00-1000-0013); and (2) includes each other account of the state general fund of the state board of regents. The provisions of this subsection shall not apply to the tuition for technical education account (561-00-1000-0120), non-tiered course credit hour grant account (561-00-1000-0550) or postsecondary tiered technical education state aid account (561-00-1000-0760).

(d) (1) In addition to the other purposes for which expenditures may be made by any state educational institution from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 for such state educational institution as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made by such state educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 for the purposes of capital improvement projects making energy and other conservation improvements: *Provided*, That such capital improvement projects are hereby approved for such state educational institution for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of issuance of one or more series of bonds by the Kansas development finance authority

in accordance with that statute from time to time during fiscal year 2022: *Provided, however;* That no such bonds shall be issued until the state board of regents has first advised and consulted on any such project with the joint committee on state building construction: *Provided further;* That the amount of the bond proceeds that may be utilized for any such capital improvement project shall be subject to approval by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session: *And provided further;* That, in addition to such project costs, any such amount of bond proceeds may include costs of issuance, capitalized interest and any required reserves for the payment of principal and interest on such bonds: *And provided further;* That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further;* That payments relating to principal and interest on such bonds shall be subject to and dependent upon annual appropriations therefor to the state educational institution for which the bonds are issued: *And provided further;* That each energy conservation capital improvement project for which bonds are issued for financing under this subsection shall be designed and completed in order to have cost savings sufficient to be equal to or greater than the cost of debt service on such bonds: *And provided further;* That the state board of regents shall prepare and submit a report to the committee on appropriations of the house of representatives and the committee on ways and means of the senate on the savings attributable to energy conservation capital improvements for which bonds are issued for financing under this subsection (d)(1) at the beginning of the 2022 regular session of the legislature.

(2) As used in this subsection, "state educational institution" includes each state educational institution as defined in K.S.A. 76-711, and amendments thereto.

(e) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2022, the following:

SEDIF – career technical education capital  
 outlay aid (561-00-1900-1950).....\$2,547,726

*Provided,* That any unencumbered balance in excess of \$100 as of June 30, 2021, in the SEDIF – career technical education capital outlay aid account is hereby reappropriated for fiscal year 2022: *Provided further;* That expenditures from the SEDIF – career technical education capital outlay aid account for each grant of career technical education capital outlay aid shall be matched by the postsecondary institution awarded such grant in an amount which is equal to 50% of the grant.

SEDIF – technology innovation and  
 internship program (561-00-1900-1960).....\$179,284

*Provided,* That any unencumbered balance in excess of \$100 as of June 30, 2021, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2022.

SEDIF – EPSCOR (561-00-1900-1970).....\$993,265

Community and technical college  
 competitive grants (561-00-1900-1980).....\$500,000

*Provided*, That all moneys in the community and technical college competitive grants account shall be for grants awarded to community and technical colleges under a competitive grant program administered by the secretary of commerce: *Provided further*; That all expenditures from such account shall be for competitive grants to community and technical colleges that require a local match of nonstate moneys on a \$1-for-\$1 basis, from either the college or private industry partner, and that will develop innovative programs with private companies needing specific job skills or will meet other industry needs that cannot be addressed with current funding streams.

Sec. 116.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Treatment and programs – medical  
and mental (521-00-1000-0152).....\$7,778,323

(b) On the effective date of this act, of the \$1,928,243 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 103(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the operating expenditures – juvenile services account (521-00-1000-0103), the sum of \$9,532 is hereby lapsed.

(c) On the effective date of this act, of the \$5,813,619 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 103(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the treatment and programs – offender programs account (521-00-1000-0151), the sum of \$7,300 is hereby lapsed.

(d) On the effective date of this act, of the \$4,667,056 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 103(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the department of corrections – hepatitis C treatment account (521-00-1000-0153), the sum of \$167,056 is hereby lapsed.

(e) On the effective date of this act, of the \$1,822,677 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 103(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the treatment and programs – KUMC contract account (521-00-1000-0154), the sum of \$1,844 is hereby lapsed.

(f) On the effective date of this act, of the \$15,866,555 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 103(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the facilities operations account (521-00-1000-0303), the sum of \$1,677,699 is hereby lapsed.

(g) On the effective date of this act, of the \$57,164,793 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 103(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the

operating expenditures account (521-00-1000-0603), the sum of \$22,718 is hereby lapsed.

(h) On the effective date of this act, of the \$10,642,886 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 103(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the department of corrections outsourcing male offenders account (521-00-1000-0606), the sum of \$9,102,002 is hereby lapsed.

(i) On the effective date of this act, of the \$16,912,173 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 103(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the Ellsworth correctional facility – facilities operations account (177-00-1000-0303), the sum of \$3,701,902 is hereby lapsed.

(j) On the effective date of this act, of the \$34,001,579 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 103(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the El Dorado correctional facility – facilities operations account (195-00-1000-0303), the sum of \$8,466,941 is hereby lapsed.

(k) On the effective date of this act, of the \$20,651,958 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 103(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the Kansas juvenile correctional complex – facilities operations account (352-00-1000-0303), the sum of \$9,537 is hereby lapsed.

(l) On the effective date of this act, of the \$31,868,324 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 103(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the Lansing correctional facility – facilities operations account (400-00-1000-0303), the sum of \$7,959,386 is hereby lapsed.

(m) On the effective date of this act, of the \$13,007,182 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 103(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the Larned correctional mental health facility – facilities operations account (408-00-1000-0303), the sum of \$3,598,014 is hereby lapsed.

(n) On the effective date of this act, of the \$18,474,694 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 103(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the Norton correctional facility – facilities operations account (581-00-1000-0303), the sum of \$1,750 is hereby lapsed.

(o) On the effective date of this act, of the \$17,827,436 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 103(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the Topeka correctional facility – facilities operations account (660-00-1000-0303), the sum of \$20,696 is hereby lapsed.

(p) On the effective date of this act, of the \$15,185,553 appropriated and

reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 103(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the Winfield correctional facility – facilities operations account (712-00-1000-0303), the sum of \$1,381,009 is hereby lapsed.

(q) On the effective date of this act, of the \$56,457,632 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 103(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the evidence-based programs account (521-00-1000-0050), the sum of \$21,095,320 is hereby lapsed.

(r) On the effective date of this act, of the \$36,587,527 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 103(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the Hutchinson correctional facility – facilities operations account (313-00-1000-0303), the sum of \$856 is hereby lapsed.

(s) On the effective date of this act, of the \$500,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 150(a) of chapter 5 of the 2020 Session Laws of Kansas from the state institutions building fund in the capital improvements -- rehabilitation and repair of juvenile correctional facilities account (521-00-8100-8000), the sum of \$861 is hereby lapsed.

Sec. 117.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (521-00-1000-0603).....\$43,134,659

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*, That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Community corrections (521-00-1000-0220).....\$19,866,154

*Provided*, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*, That no expenditures may be made by any county from any grant made to such county from the community corrections account for either half of state fiscal year 2022 that supplant any amount of local public or private funding of existing programs as determined in accordance with rules and regulations adopted by the secretary of corrections.

Local jail payments (521-00-1000-0510).....\$1,550,000

*Provided*, That any unencumbered balance in the local jail payments account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That, notwithstanding the provisions of K.S.A. 19-1930, and amendments thereto, payments by the department of corrections under K.S.A. 19-

1930(b), and amendments thereto, for the cost of maintenance of prisoners shall not exceed the per capita daily operating cost, not including inmate programs, for the department of corrections.

Treatment and programs –  
offender programs (521-00-1000-0151).....\$6,308,834

*Provided*, That any unencumbered balance in the treatment and programs – offender programs account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Treatment and programs – medical  
and mental (521-00-1000-0152).....\$77,645,754

*Provided*, That any unencumbered balance in the treatment and programs – medical and mental account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Department of corrections  
hepatitis C treatment (521-00-1000-0153).....\$6,000,000

*Provided*, That any unencumbered balance in the department of corrections hepatitis C treatment account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Treatment and programs –  
KUMC contract (521-00-1000-0154).....\$1,820,833

*Provided*, That any unencumbered balance in the treatment and programs – KUMC contract account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Operating expenditures –  
juvenile services (521-00-1000-0103).....\$1,771,917

*Provided*, That any unencumbered balance in the operating expenditures – juvenile services account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Evidence-based programs (521-00-1000-0050).....\$12,521,500

*Provided*, That any unencumbered balance in the evidence-based programs account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That, notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, expenditures may be made from this account to conduct research into, and development of, evidence-based practices to reduce offender behavior and recidivism among juveniles: *Provided, however*; That the expenditures for such research and development shall not exceed \$1,000,000.

Prevention and graduated sanctions  
community grants (521-00-1000-0221).....\$9,311,197

*Provided*, That any unencumbered balance in the prevention and graduated sanctions community grants account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That moneys awarded as grants

from the prevention and graduated sanctions community grants account is not an entitlement to communities, but a grant that must meet conditions prescribed by the above agency for appropriate outcomes.

Purchase of services (521-00-1000-0300).....\$906,795

*Provided*, That any unencumbered balance in the purchase of services account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Department of corrections outsourcing  
male offenders (521-00-1000-0606).....\$1,324,000

*Provided*, That any unencumbered balance in the department of corrections outsourcing male offenders account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Debt service payments – data  
systems replacement (521-00-1000).....\$79,182

Topeka correctional facility –  
facilities operations (660-00-1000-0303).....\$18,120,951

*Provided*, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from the Topeka correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Hutchinson correctional facility –  
facilities operations (313-00-1000-0303).....\$37,616,908

*Provided*, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from the Hutchinson correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Lansing correctional facility –  
facilities operations (400-00-1000-0303).....\$33,049,804

*Provided*, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from the Lansing correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Ellsworth correctional facility –  
facilities operations (177-00-1000-0303).....\$17,281,796

*Provided*, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from the Ellsworth correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Winfield correctional facility –  
facilities operations (712-00-1000-0303).....\$15,069,380

*Provided*, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from the Winfield correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Norton correctional facility –  
facilities operations (581-00-1000-0303).....\$18,982,385

*Provided*, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from the Norton correctional facility – facilities operations account for official hospitality shall not exceed \$500.

El Dorado correctional facility –  
facilities operations (195-00-1000-0303).....\$34,798,237

*Provided*, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from the El Dorado correctional facility – facilities operations account for official hospitality shall not exceed \$500.

Larned correctional mental health facility –  
facilities operations (408-00-1000-0303).....\$13,460,854

*Provided*, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from the Larned correctional mental health facility – facilities operations account for official hospitality shall not exceed \$500.

Kansas juvenile correctional complex –  
facilities operations (352-00-1000-0303).....\$21,128,884

*Provided*, That any unencumbered balance in the Kansas juvenile correctional complex – facilities operations account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from the Kansas juvenile correctional complex – facilities operations account for official hospitality shall not exceed \$500: *Provided further*; That expenditures may be made from this account for educational services contracts, which are hereby authorized to be negotiated and entered into by the above agency with unified school districts or other accredited educational services providers.

Facilities operations (521-00-1000-0303).....\$15,376,246

*Provided*, That any unencumbered balance in the facilities shrinkage account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Juvenile crime community prevention.....\$1,500,000

*Provided*, That, expenditures shall be made by such agency from such account during fiscal year 2022 to provide grants to communities for evidence-based juvenile crime prevention programs: *Provided further*, That, at least \$500,000 of such grants shall require a \$1-for-\$1 local or private match.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Supervision fees fund (521-00-2116-2100).....	No limit
Justice reinvestment technical assistance for state governments project – federal fund (521-00-3758-3758).....	No limit
Residential substance abuse treatment – federal fund (521-00-3006).....	No limit
Department of corrections forensic psychologist fund (521-00-2492-2492).....	No limit
<i>Provided</i> , That expenditures may be made from the department of corrections forensic psychologist fund for general health care contract expenses.	
Ed Byrne memorial justice assistance grants – federal fund (521-00-3057).....	No limit
Violence against women – federal fund (521-00-3214).....	No limit
Sex offender management grant – federal fund (521-00-3206-3206).....	No limit
Department of corrections state asset forfeiture fund (521-00-2460-2400).....	No limit
Prisoner reentry intv demo – federal fund (521-00-3063).....	No limit
Victims of crime act – federal fund (521-00-3260).....	No limit
Correctional industries fund (522-00-6126-7300).....	No limit
<i>Provided</i> , That expenditures may be made from the correctional industries fund for official hospitality.	
Ed Byrne state and local law assistance – federal fund (521-00-3213-3213).....	No limit
Bulletproof vest partnership – federal fund (521-00-3216-3216).....	No limit
Safeguard community grants – federal fund (521-00-3225).....	No limit

- Workforce investment act –  
federal fund (521-00-3237-3237).....No limit
- Workplace and community transition training –  
federal fund (521-00-3281-3281).....No limit
- USMS reimbursement –  
federal fund (521-00-3562-3562).....No limit
- Community awareness project –  
federal fund (521-00-3250-3250).....No limit
- Corrections training and staff development –  
federal fund (521-00-3413-3413).....No limit
- Second chance act –  
federal fund (521-00-3895-3895).....No limit
- Alcohol and drug abuse  
treatment fund (521-00-2339-2110).....No limit

*Provided*, That expenditures may be made from the alcohol and drug abuse treatment fund for payments associated with providing treatment services to offenders who were driving under the influence of alcohol or drugs regardless of when the services were rendered.

- State of Kansas – department  
of corrections inmate  
benefit fund (521-00-7950-5350).....No limit

- Department of corrections –  
alien incarceration grant  
fund – federal (521-00-3943-3800).....No limit

- Department of corrections – general  
fees fund (521-00-2427-2450).....No limit

*Provided*, That expenditures may be made from the department of corrections – general fees fund for operating expenditures for training programs for correctional personnel, including official hospitality: *Provided further*, That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred for such training programs, including official hospitality: *And provided further*, That all fees received for such programs shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the department of corrections – general fees fund.

- Juvenile justice delinquency prevention  
federal fund (521-00-3351).....No limit
- Juvenile alternatives to detention fund (521-00-2250).....No limit

*Provided*, That notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, or any other statute, expenditures may be made by the above agency from the juvenile alternatives to detention fund for per diem payments to detention centers:

*Provided, however;* That expenditures from the juvenile alternatives to detention fund for per diem payments to detention centers shall not exceed \$100,000: *And provided further;* That the department of corrections is hereby authorized and directed to make expenditures from the juvenile alternatives to detention fund for fiscal year 2022 for purchase of services: *And provided further;* That notwithstanding the provisions of K.S.A. 79-4803, and amendments thereto, or any other statute, expenditures may be made by the above agency from the juvenile alternatives to detention fund for graduated sanctions.

Juvenile justice fee fund central office (521-00-2257).....	No limit
Title IV-E fund (521-00-3337).....	No limit
Juvenile delinquency preservation trust fund (521-00-7322-7000).....	No limit
Title I program for neglected and delinquent children – federal fund (521-00-3009).....	No limit
Topeka correctional facility – community development block grant – federal fund (660-00-3669-3669).....	No limit
Topeka correctional facility – bureau of prisons contract – federal fund (660-00-3582-3200).....	No limit
Topeka correctional facility – general fees fund (660-00-2090-2090).....	No limit
Hutchinson correctional facility – general fees fund (313-00-2051-2000).....	No limit
Lansing correctional facility – general fees fund (400-00-2040-2040).....	No limit
Ellsworth correctional facility – general fees fund (177-00-2227-2000).....	No limit
Winfield correctional facility – general fees fund (712-00-2237-2000).....	No limit
Norton correctional facility – general fees fund (581-00-2238-2000).....	No limit
El Dorado correctional facility – general fees fund (195-00-2252-2000).....	No limit
Larned correctional mental health facility – general fees fund (408-00-2145-2000).....	No limit
Kansas juvenile correctional complex – fee fund (352-00-2321-2300).....	No limit
Kansas juvenile correctional	

complex – gifts, grants and donations fund (352-00-7016-7000).....	No limit
Kansas juvenile correctional complex – title I neglected and delinquent children – federal fund (352-00-3009).....	No limit
Byrne grant – federal fund – Kansas juvenile correctional complex (352-00-3057-3057).....	No limit
National school breakfast program – federal fund – Kansas juvenile correctional complex (352-00-3529-3529).....	No limit
National school lunch program – federal fund – Kansas juvenile correctional complex (352-00-3530-3530).....	No limit
Community corrections supervision fund (521-00-2748-2748).....	No limit
Community corrections special revenue fund (521-00-2447-2447).....	No limit
Medical assistance program – federal fund (521-00-3414).....	No limit
Byrne grant – federal fund (521-00-3353-3200).....	No limit
Coronavirus emergency supplemental fund (521-00-3671).....	No limit
Coronavirus emergency supplemental fund – Lansing correctional facility (400-00-3671).....	No limit
ICJR – federal fund.....	No limit
Second chance act reentry initiative – federal fund.....	No limit
Coronavirus relief fund – federal fund (521-00-3753).....	No limit
Coronavirus emergency supplemental fund – Larned correctional mental health facility (408-00-3671).....	No limit
Prison rape elimination act (PREA) justice assistance grant – federal fund (051-00-3758-3763).....	No limit
Violence against women – federal fund (051-00-3082-3083).....	No limit

(c) During the fiscal year ending June 30, 2022, the secretary of corrections, with the approval of the director of the budget, may transfer any part of any item of appropriation for the fiscal year ending June 30, 2022, from the state general fund for the department of corrections or any correctional institution or correctional facility under the general supervision and management of the secretary of corrections to another

item of appropriation for fiscal year 2022 from the state general fund for the department of corrections or any correctional institution or correctional facility under the general supervision and management of the secretary of corrections. The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(d) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the secretary of corrections any duly authorized claim to be paid from the local jail payments account (521-00-1000-0510) of the state general fund during fiscal year 2022 for costs pursuant to K.S.A. 19-1930(b), and amendments thereto, even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act.

(e) Notwithstanding the provisions of K.S.A. 75-3731, and amendments thereto, or any other statute, the director of accounts and reports shall accept for payment from the director of Kansas correctional industries any duly authorized claim to be paid from the correctional industries fund (522-00-6126-7300) during fiscal year 2022 for operating or manufacturing costs even though such claim is not submitted or processed for payment within the fiscal year in which the service is rendered and whether or not the services were rendered prior to the effective date of this act. The director of Kansas correctional industries shall provide to the director of the budget on or before September 15, 2021, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2021.

(f) During the fiscal year ending June 30, 2022, the secretary of corrections, with the approval of the director of the budget, may make transfers from the correctional industries fund (522-00-6126-7300) to the department of corrections – general fees fund (521-00-2427-2450). The secretary of corrections shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(g) During the fiscal year ending June 30, 2022, all expenditures made by the department of corrections from the correctional industries fund (522-00-6126-7300) shall be made on budget for all purposes of state accounting and budgeting for the department of corrections.

(h) Notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, during fiscal year 2022, the director of accounts and reports shall transfer the amount certified pursuant to K.S.A. 75-52,164(b), and amendments thereto, from each account of the state general fund of a state agency that has been determined by the secretary of corrections to be actual or projected cost savings to the evidence-based programs account of the state general fund of the department of corrections: *Provided*, That the secretary of corrections shall transmit a copy of each such certification to the director of legislative research.

Sec. 118.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, for the capital improvement project or projects specified, the following:

Deferred maintenance (034-00-1000-0700).....\$231,848

(b) On the effective date of this act, of the \$5,622,549 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 105(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the operating expenditures account (034-00-1000-0053), the sum of \$481,848 is hereby lapsed.

(c) On the effective date of this act, any unencumbered balance in the incident management team account (034-00-1000-0105) of the state general fund is hereby lapsed.

(d) On the effective date of this act, of the \$1,319,554 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 105(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the disaster relief account (034-00-1000-0200), the sum of \$12,475 is hereby lapsed.

(e) On the effective date of this act, of the unencumbered balance reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 105(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the emergency management account (034-00-1000-0600), the sum of \$11,826,642 is hereby lapsed.

Sec. 119.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (034-00-1000-0053).....\$5,510,157

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*, That expenditures from this account for official hospitality shall not exceed \$2,500.

Civil air patrol – operating expenditures (034-00-1000-0103).....\$42,236

Disaster relief (034-00-1000-0200).....\$1,500,000

*Provided*, That any unencumbered balance in the disaster relief account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Military activation payments (034-00-1000-0300).....\$6,000

*Provided*, That any unencumbered balance in the military activation payments account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That all expenditures from the military activation payments account shall be for military activation payments authorized by and subject to the provisions of K.S.A. 75-3228, and amendments thereto.

Kansas military

emergency relief (034-00-1000-0400).....\$9,881

*Provided*, That expenditures may be made from the Kansas military emergency relief account for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief account shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief account.

Any unencumbered balance in excess of \$100 as of June 30, 2021, in each of the following accounts is hereby reappropriated for fiscal year 2022: Force protection, calibrators decommission and replacement, environmental clean-up projects, emergency management.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas intelligence fusion center fund.....No limit

General fees fund (034-00-2102) .....No limit

*Provided*, That the adjutant general is hereby authorized to fix, charge and collect fees agreed upon in memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred under the provisions of the memorandums of understanding with other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received pursuant to such memorandums of understanding shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Office of emergency communications

fund (034-00-2496-2496) .....No limit

*Provided*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the above

agency's communication equipment by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further;* That all fees received for use of the above agency's communication equipment by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the office of emergency communications fund.

Conversion of materials and equipment fund – military division (034-00-2400-2030) .....	No limit
Adjutant general expense fund (034-00-2357).....	No limit
State asset forfeiture fund (034-00-2498-2498).....	No limit
State emergency fund (034-00-2437).....	No limit
State emergency fund weather disasters 5/4/2007 (034-00-2441).....	No limit
State emergency fund weather disasters 12/06, 7/07 (034-00-2445).....	No limit
Disaster grants – public assistance federal fund (034-00-3005).....	No limit
National guard military operations/maintenance federal fund (034-00-3055-3300).....	No limit
Econ adjustment/military installation federal fund (034-00-3196-3196).....	No limit
Disaster assistance to individual/household federal fund (034-00-3405-3405).....	No limit
Interoperability communication equipment fund (034-00-3449-3449).....	No limit
Pre-disaster mitigation – federal fund (034-00-3268-3269).....	No limit
Hazard material training and planning – federal fund (034-00-3121-3310).....	No limit
State homeland security program federal fund (034-00-3629-3629).....	No limit
Nuclear safety emergency management fee fund (034-00-2081-2200).....	No limit

*Provided,* That, notwithstanding the provisions of any other statute, the adjutant general may make transfers of moneys from the nuclear safety emergency management fee fund to other state agencies for fiscal year 2022 pursuant to agreements, which are hereby authorized to be entered into by the adjutant general with other state agencies to provide appropriate emergency management plans to administer the Kansas nuclear safety emergency management act, K.S.A. 48-940 et seq., and amendments thereto.

Military fees fund – federal (034-00-2152).....No limit

*Provided*, That all moneys received by the adjutant general from the federal government for reimbursement for expenditures made under agreements with the federal government shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military fees fund – federal.

Armories and units general  
fees fund (034-00-2171-2010).....No limit

Emergency systems for advanced registration  
for volunteer health professionals –  
federal fund (034-00-3748-3748).....No limit

Civil air patrol – grants and contributions –  
federal fund (034-00-7315-7000).....No limit

Coronavirus relief fund –  
federal fund (034-00-3753).....No limit

Emergency management performance grant –  
federal fund (034-00-3342-3342).....No limit

NG – federal forfeiture fund (034-00-2184-2100).....No limit

Inaugural expense fund (034-00-2003-2300).....No limit

Kansas military emergency  
relief fund (034-00-2658-2650).....No limit

*Provided*, That expenditures may be made from the Kansas military emergency relief fund for grants and interest-free loans, which are hereby authorized to be entered into by the adjutant general with repayment provisions and other terms and conditions including eligibility as may be prescribed by the adjutant general therefor, to members and families of the Kansas army and air national guard and members and families of the reserve forces of the United States of America who are Kansas residents, during the period preceding, during and after mobilization to provide assistance to eligible family members experiencing financial emergencies: *Provided further*, That such assistance may include, but shall not be limited to, medical, funeral, emergency travel, rent, utilities, child care, food expenses and other unanticipated emergencies: *And provided further*, That any moneys received by the adjutant general in repayment of any grants or interest-free loans made from the Kansas military emergency relief fund shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas military emergency relief fund.

Emergency management assistance compact  
federal fund (034-00-3609-3605) .....No limit

Public safety interoperable  
communications grant program  
federal fund (034-00-3340-3340).....No limit

Military construction national guard  
federal fund (034-00-3192-3192).....No limit

National guard civilian youth opportunities federal fund (034-00-3193-3193).....	No limit
Hazard mitigation grant federal fund (034-00-3019).....	No limit
Citizen corps federal fund (034-00-3341-3341).....	No limit
Law enforcement terrorism prevention program federal fund (034-00-3613-3600).....	No limit
Safe and drug-free schools and communities national programs federal fund (034-00-3569-3569).....	No limit
National guard museum assistance fund (034-00-8306-8300).....	No limit

*Provided*, That all expenditures from the national guard museum assistance fund shall be made for an expansion of the 35<sup>th</sup> infantry division museum and education center facility.

Great plains joint regional training center fee fund (034-00-2688-2688).....	No limit
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*Provided*, That expenditures may be made from the great plains joint regional training center fee fund for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *Provided further*, That the adjutant general is hereby authorized to fix, charge and collect fees for recovery of costs associated with the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations and not-for-profit organizations: *And provided further*, That all fees received for use of the great plains joint regional training center by other state agencies, local government agencies, for-profit organizations or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the great plains joint regional training center fee fund.

State and local implementation grant program – federal fund (034-00-3576-3576).....	No limit
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Military honors funeral fund (034-00-2789-2789).....	No limit
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*Provided*, That the adjutant general is hereby authorized to accept gifts and donations of money during fiscal year 2022 for military funeral honors or purposes related thereto: *Provided further*, That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the military honors funeral fund.

Fire management assistance grant – federal fund (034-00-3320-3320).....	No limit
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Kansas national guard counter drug state

forfeiture fund.....No limit

(c) In addition to the other purposes for which expenditures may be made by the adjutant general from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made by the adjutant general from such moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022, notwithstanding the provisions of K.S.A. 48-205, and amendments thereto, or any other statute, in addition to other positions within the adjutant general's department in the unclassified service as prescribed by law for additional positions in the unclassified service under the Kansas civil service act: *Provided*, That, notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the adjutant general may appoint a deputy adjutant general, who shall have no military command authority, and who may be a civilian and shall have served at least five years as a commissioned officer with the Kansas national guard, who will perform such duties as the adjutant general shall assign, and who will serve in the unclassified service under the Kansas civil service act: *Provided further*, That the position of such deputy adjutant general in the unclassified service under the Kansas civil service act shall be established by the adjutant general within the position limitation established for the adjutant general on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 2022 made by this or other appropriation act of the 2021 regular session of the legislature.

(d) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$320,000 from the state highway fund of the department of transportation to the office of emergency communications fund (034-00-2496-2496) of the adjutant general.

(e) During the fiscal year ending June 30, 2022, the adjutant general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2022, from the state general fund for the adjutant general to another item of appropriation for fiscal year 2022 from the state general fund for the adjutant general: *Provided*, That the adjutant general shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(f) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 by the adjutant general as authorized by this or other appropriation act of the 2021 regular session of the legislature, the adjutant general shall make expenditures from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 for the purposes of preparing a report detailing the numerical amount and itemized costs of all equipment and supplies relating to the COVID-19 health emergency purchased or received by the adjutant general in each of the fiscal years 2020, 2021 and year-to-date 2022 and a list of all entities that requested any such

COVID-19 equipment and supplies and the numerical amount and itemized costs of such COVID-19 equipment and supplies actually received by such entities from the adjutant general in each of the fiscal years 2020, 2021 and year-to-date 2022: *Provided*, That such report shall specifically list and identify each item and shall not be listed by category: *Provided further*; That such report shall be filed with the secretary of the senate and the chief clerk of the house of representatives on or before January 1, 2022.

Sec. 120.

STATE FIRE MARSHAL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

Fire marshal fee fund (234-00-2330-2000).....\$5,805,121

*Provided*, That expenditures from the fire marshal fee fund for official hospitality shall not exceed \$1,000.

Boiler inspection fee fund (234-00-2128-2128).....No limit

*Provided*, That, during the fiscal year ending June 30, 2022, notwithstanding the provisions of any statute, in addition to the other purposes for which expenditures may be made from the boiler inspection fee fund for fiscal year 2022 by the above agency by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from the boiler inspection fee fund for operating expenses of the above agency.

Gifts, grants and donations fund (234-00-7405-7400).....No limit

Intragovernmental service fund (234-00-6160-6000).....No limit

Explosives regulatory and training fund (234-00-2361-2361).....No limit

State fire marshal liquefied petroleum gas fee fund (234-00-2608-2600).....No limit

Emergency response fund (234-00-2589).....No limit

*Provided*, That expenditures may be made by the state fire marshal from the emergency response fund for fiscal year 2022 for the purposes of responding to specific incidences of emergencies related to hazardous materials or search and rescue incidents without prior approval of the state finance council: *Provided, however*; That expenditures from the emergency response fund during fiscal year 2022 for the purposes of responding to any specific incidence of an emergency related to hazardous materials or search and rescue incidents without prior approval by the state finance council shall not exceed \$25,000, except upon approval by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation

and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session.

Fire safety standard and firefighter protection act enforcement fund (234-00-2694-2620).....	No limit
Cigarette fire safety standard and firefighter protection act fund (234-00-2696-2630).....	No limit
Non-fuel flammable or combustible liquid aboveground storage tank system fund (234-00-2626-2610).....	No limit
FFY12 HMEP grant – federal fund (234-00-3121-3121).....	No limit
Contract inspections fund (234-00-6122-6122).....	No limit

(b) During the fiscal year ending June 30, 2022, notwithstanding the provisions of any other statute, the state fire marshal, with the approval of the director of the budget, may transfer funds from the fire marshal fee fund (234-00-2330-2000) to the emergency response fund (234-00-2589) of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget: *Provided*, That the aggregate amount of such transfers for the fiscal year ending June 30, 2022, shall not exceed \$500,000.

(c) During the fiscal year ending June 30, 2022, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund (234-00-2330-2000) during fiscal year 2022, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the fire marshal fee fund during fiscal year 2022 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2022 in accordance with the provisions of appropriation acts, the director of the budget shall certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the emergency response fund (234-00-2589) to the fire marshal fee fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the fire marshal fee fund for the remainder of fiscal year 2022 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(d) During the fiscal year ending June 30, 2022, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the fire marshal fee fund (234-00-2330-2000) and any other resources available to the fire marshal fee fund during the fiscal year 2022, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated

receipts to be credited to the fire marshal fee fund during fiscal year 2022 are insufficient to meet in full the estimated expenditures for fiscal year 2022 as they become due to meet the financial obligations imposed by law on the fire marshal fee fund as a result of a cash flow shortfall, within the authorized budgeted expenditures in accordance with the provisions of appropriation acts, the director of the budget is authorized and directed to certify such finding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of money specified in such certification from the state general fund to the fire marshal fee fund in order to maintain the cash flow of the fire marshal fee fund for such purposes for fiscal year 2022: *Provided*, That the aggregate amount of such transfers during fiscal year 2022 pursuant to this subsection shall not exceed \$500,000. Within one year from the date of each such transfer to the fire marshal fee fund pursuant to this subsection, the director of accounts and reports shall transfer the amount equal to the amount transferred from the state general fund to the fire marshal fee fund from the fire marshal fee fund to the state general fund in accordance with a certification for such purpose by the director of the budget. At the same time as the director of the budget transmits any certification under this subsection to the director of accounts and reports during fiscal year 2022, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(e) During the fiscal year ending June 30, 2022, notwithstanding the provisions of any other statute, the state fire marshal, may transfer funds from the contract inspections fund (234-00-6122-6122) of the state fire marshal to the fire marshal fee fund (234-00-2330-2000) of the state fire marshal. The state fire marshal shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

(f) Notwithstanding the provisions of K.S.A. 2-3907, and amendments thereto, or any other statute, in addition to the other purposes for which expenditures may be made by the state fire marshal from moneys appropriated from any special revenue fund or funds for fiscal year 2022, as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the state fire marshal from such moneys appropriated from any special revenue fund or funds for fiscal year 2022 to enter into a memorandum of understanding with the Kansas department of agriculture for the state fire marshal to assume the authority, powers and duties granted to the Kansas department of agriculture regarding the regulation of hemp processors during fiscal year 2022: *Provided*, That the state fire marshal shall adopt any rules and regulations relating to the regulation of hemp processors necessary for the health, welfare and safety of the public: *Provided further*, That the state fire marshal shall require, as a qualification for all individuals seeking to engage in the extraction of cannabinoids, including the disposal of such cannabinoids, from industrial hemp to be fingerprinted and to submit to a state and national criminal history record check in conformity with all state and federal requirements: *And provided further*, That the state fire marshal is hereby authorized to fix, charge and collect fees agreed upon in the memorandum of understanding with the Kansas department of agriculture to recover all or part of the expenses incurred under the provisions of the memorandum of understanding with the department for the regulation of hemp processors: *And provided further*, That all fees received pursuant to such memorandum of understanding shall be

deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the fire marshal fee fund: *And provided, however;* That, such fee shall not exceed \$1,000.

Sec. 121.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue fund for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas highway patrol law enforcement  
aircraft fund (280-00-2034).....\$2,950,000

*Provided,* That expenditures shall be made from the Kansas highway patrol law enforcement aircraft fund for the purchase of a Cessna 206 law enforcement aircraft and equipment and to trade in such agency's 1978 and 1998 Cessna law enforcement aircraft.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 107(a) of chapter 5 of the 2020 Session Laws of Kansas on the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol is hereby increased from \$53,329,416 to \$55,304,248.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 152(c) of chapter 5 of the 2020 Session Laws of Kansas on the scale replacement and rehabilitation and repair of buildings account (280-00-2034-1115) of the Kansas highway patrol operations fund is hereby decreased from \$407,915 to \$281,772.

(d) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,932,173 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol.

(e) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$127,246 from the scale replacement and rehabilitation and repair of buildings fund (280-00-2034-1115) of the Kansas highway patrol operations fund to the state highway fund of the department of transportation.

(f) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$2,950,000 from the state highway fund of the department of transportation to the Kansas highway patrol law enforcement aircraft fund (280-00-2034) of the Kansas highway patrol.

(g) On the effective date of this act, the provisions of section 107(h) of chapter 5 of the 2020 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

(h) During the fiscal year ending June 30, 2021, in addition to the other purposes

for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2021 by section 107 of chapter 5 of the 2020 Session Laws of Kansas, this or any other appropriation act of the 2021 regular session of the legislature, the above agency shall make expenditures from such moneys to use the Kansas highway patrol training academy for all training of Kansas highway patrol law enforcement officers.

Sec. 122.

KANSAS HIGHWAY PATROL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (280-00-2179-2200).....No limit

*Provided*, That all moneys received from the sale of used equipment, recovery of and reimbursements for expenditures and any other source of revenue shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund, except as otherwise provided by law: *Provided further*; That notwithstanding the provisions of article 66 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto, in addition to the other purposes for which expenditures may be made by the above agency from the general fees fund, expenditures shall be made by the above agency from such fund to sell the personal sidearm, with a trigger lock, of a part-time state law enforcement officer to such officer, subject to the following: (1) Such officer is resigning; (2) the sale of such personal sidearm shall be for the amount equal to the total of the fair market value of the sidearm, as fixed by the superintendent, plus the cost of the trigger lock; and (3) no sale of a personal sidearm shall be made to any resigning officer unless the superintendent determines that the employment record and performance evaluations of each such officer are satisfactory: *And provided further*; That all proceeds from the sale of personal sidearms and trigger locks shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

For patrol of Kansas  
turnpike fund (280-00-2514-2500) .....No limit

*Provided*, That expenditures shall be made from the for patrol of Kansas turnpike fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Highway patrol motor  
vehicle fund (280-00-2317-2800).....No limit

State forfeiture  
fund – pending (280-00-2264-2264).....No limit

Kansas highway patrol state  
forfeiture fund (280-00-2413-2100).....No limit

*Provided*, That, notwithstanding the provisions of K.S.A. 60-4117, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2022, expenditures may be made from the Kansas highway patrol state forfeiture fund for salaries and wages, and associated fringe benefits of non-supervisory personnel.

Disaster grants – public assistance –  
federal fund (280-00-3005-3005).....No limit

Edward Byrne memorial assistance grant –  
state and local law enforcement –  
federal fund (280-00-3213-3213).....No limit

Bulletproof vest partner –  
federal fund (280-00-3216-3216).....No limit

Performance registration  
information system management –  
federal fund (280-00-3239-3239).....No limit

Commercial vehicle  
information system network –  
federal fund (280-00-3244-3244).....No limit

Highway planning and construction –  
federal fund (280-00-3333-3333).....No limit

KHP federal forfeiture –  
federal fund (280-00-3545).....No limit

*Provided*, That expenditures may be made from the KHP federal forfeiture – fund by the above agency for the capital improvement project or projects for troop F headquarters.

High intensity drug trafficking areas –  
federal fund (280-00-3615-3000).....No limit

Homeland security program –  
federal fund (280-00-3629).....No limit

Edward Byrne memorial  
justice assistance grant –  
federal fund (280-00-3057).....No limit

Emergency ops cntr –  
federal fund (280-00-3808-3808).....No limit

State and community highway safety –  
federal fund (280-00-3815-3815).....No limit

Gifts and donations fund (280-00-7331).....No limit

*Provided*, That expenditures from the gifts and donations fund for official hospitality shall not exceed \$1,000.

Motor carrier safety assistance program  
state fund (280-00-2208).....No limit

*Provided*, That expenditures shall be made from the motor carrier safety assistance program state fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

National motor carrier safety assistance program – federal fund (280-00-3073).....No limit

*Provided*, That expenditures shall be made from the national motor carrier safety assistance program – federal fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Aircraft fund – on budget (280-00-2368-2360).....No limit

Highway safety fund (280-00-2217-2250).....No limit

Capitol area security fund (280-00-6143-6100).....No limit

Vehicle identification number fee fund (280-00-2213).....No limit

Motor vehicle fuel and storeroom sales fund (280-00-6155-6200).....No limit

*Provided*, That expenditures may be made from the motor vehicle fuel and storeroom sales fund to acquire and sell commodities and to provide services to local governments and other state agencies: *Provided further*; That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for such commodities and services: *And provided further*; That such fees shall be fixed in order to recover all or part of the expenses incurred in acquiring or providing and selling such commodities and services: *And provided further*; That all fees received for such commodities and services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the motor vehicle fuel and storeroom sales fund.

Kansas highway patrol operations fund (280-00-2034-1100).....\$56,162,465

*Provided*, That expenditures from the Kansas highway patrol operations fund for official hospitality shall not exceed \$3,000: *Provided further*; That expenditures may be made from the Kansas highway patrol operations fund for the purchase of civilian clothing for members of the Kansas highway patrol assigned to duties pursuant to K.S.A. 74-2105, and amendments thereto: *And provided further*; That the superintendent shall make expenditures from the Kansas highway patrol operations fund for necessary moving expenses in accordance with K.S.A. 75-3225, and amendments thereto.

Kansas highway patrol law enforcement aircraft fund (280-00-2034).....No limit

*Provided*, That expenditures may be made from the Kansas highway patrol law enforcement aircraft fund for the purchase of law enforcement aircraft and equipment.

Highway patrol training center fund (280-00-2306).....No limit

*Provided*, That expenditures may be made from the highway patrol training center

fund for use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *Provided further*, That the superintendent of the Kansas highway patrol is hereby authorized to fix, charge and collect fees for recovery of costs associated with use of the highway patrol training center by other state agencies, local government agencies and not-for-profit organizations: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing for the use of the highway patrol training center by other state or local government agencies: *And provided further*, That all fees received for use of the highway patrol training center by other state agencies, local government agencies or not-for-profit organizations shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the highway patrol training center fund.

Executive aircraft fund (280-00-6144-6120).....No limit

*Provided*, That expenditures may be made from the executive aircraft fund to provide aircraft services to other state agencies and to purchase liability and property damage insurance for state aircraft: *Provided further*, That the superintendent of the highway patrol is hereby authorized to fix, charge and collect fees for such aircraft services to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the operating expenses incurred in providing such services: *And provided further*, That all fees received for such services shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the executive aircraft fund.

1122 program clearing fund (280-00-7280).....No limit

Kansas highway patrol staffing and training fund (280-00-2211-2211).....No limit

BAU fund (280-00-3092).....No limit

Homeland sec grant prog fund.....No limit

Coronavirus emergency supplemental fund (280-00-3671).....No limit

(b) On or before the 10<sup>th</sup> of each month during the fiscal year ending June 30, 2022, the director of accounts and reports shall transfer from the state general fund to the 1122 program clearing fund (280-00-7280-7280) interest earnings based on: (1) The average daily balance of moneys in the 1122 program clearing fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) On July 1, 2021, and January 1, 2022, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer an amount specified by the executive director of the state corporation commission, with the approval of the director of the budget, of not more than \$650,000 from the motor carrier license fees fund (143-00-2812-5500) of the state corporation commission to the motor carrier safety assistance program state fund (280-00-2208) of the Kansas highway patrol.

(d) On July 1, 2021, October 1, 2021, January 1, 2022, and April 1, 2022, or as

soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$14,040,616.25 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol for the purpose of financing the Kansas highway patrol operations. In addition to other purposes for which expenditures may be made from the state highway fund during fiscal year 2022 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2022 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2021, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$295,000 from the state highway fund of the department of transportation to the highway safety fund (280-00-2217-2250) of the Kansas highway patrol for the purpose of financing the motorist assistance program of the Kansas highway patrol.

(f) On July 1, 2021, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$250,000 from the state highway fund of the department of transportation to the general fees fund (280-00-2179-2200) of the Kansas highway patrol for the purpose of financing operating expenditures of the Kansas highway patrol.

(g) On July 1, 2021, and January 1, 2022, or as soon thereafter each such date as moneys are available, notwithstanding the provisions of K.S.A. 74-2136, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$300,000 from the highway patrol motor vehicle fund (280-00-2317-2800) of the Kansas highway patrol to the aircraft fund – on budget (280-00-2368-2360) of the Kansas highway patrol.

(h) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made from such moneys to provide salary and wage parity between members of the capitol police and law enforcement officers of the Kansas highway patrol.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022, as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 to issue a Kansas highway patrol card, the same card that is issued to a retiring full-time state law enforcement officer, to a retired part-time state law enforcement officer, if the superintendent determines that the employment record and performance evaluations of each such officer are satisfactory: *Provided*, That the provisions of this subsection shall apply to all part-time state law enforcement officers who retired on or after January 1, 2020.

Sec. 123.

ATTORNEY GENERAL – KANSAS  
BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Automated biometric identification system (083-00-1000).....\$6,886,292

*Provided*, That the above agency is hereby authorized to make expenditures from the automated biometric identification system account to contract for services to procure and develop the automated biometric identification system.

(b) On the effective date of this act, of the \$23,159,639 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 108(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in operating expenditures account (083-00-1000-0083), the sum of \$7,000,138 is hereby lapsed.

Sec. 124.

ATTORNEY GENERAL – KANSAS  
BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (083-00-1000-0083).....\$22,138,481

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated to the operating expenditures account for fiscal year 2022: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$750.

Meth lab cleanup (083-00-1000-0200).....\$50,000

*Provided*, That any unencumbered balance in the meth lab cleanup account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That the above agency is hereby authorized to make expenditures from the meth lab cleanup account to contract for services for remediation of sites determined by law enforcement as hazardous resulting from the production of methamphetamine.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas bureau of investigation state  
forfeiture fund (083-00-2283).....No limit

*Provided*, That expenditures made from the Kansas bureau of investigation state forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training

for special agents and other personnel, including official hospitality.

Federal forfeiture fund (083-00-3940).....No limit

*Provided*, That expenditures made from the federal forfeiture fund shall not be considered a source of revenue to meet normal operating expenses, but for such special, additional law enforcement purposes including direct or indirect operating expenditures incurred for conducting educational classes and training for special agents and other personnel, including official hospitality.

High intensity drug trafficking area – federal fund (083-00-3349-3100).....No limit

Federal grants – marijuana eradication – federal fund (083-00-3350).....No limit

eCitation national priority safety program – federal fund (083-00-3092).....No limit

Ncs-x grant – federal fund (083-00-3580-3580).....No limit

Criminal justice information system line fund (083-00-2457).....No limit

*Provided*, That in addition to the other purposes for which expenditures may be made from the criminal justice information system line fund pursuant to K.S.A. 74-5707, and amendments thereto, expenditures may be made from the criminal justice information system line fund for salaries and wages, contractual services, commodities and capital outlay for the maintenance and support of the Kansas criminal justice information system.

DNA database fund (083-00-2676-2700).....No limit

Kansas bureau of investigation motor vehicle fund (083-00-2344-2050).....No limit

*Provided*, That expenditures may be made from the Kansas bureau of investigation motor vehicle fund to acquire and sell motor vehicles for the Kansas bureau of investigation: *Provided further*; That all moneys received for sale of motor vehicles of the Kansas bureau of investigation shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the Kansas bureau of investigation motor vehicle fund.

Forensic laboratory and materials fee fund (083-00-2077).....No limit

*Provided*, That expenditures may be made from the forensic laboratory and materials fee fund for the acquisition of laboratory equipment and materials and for other direct or indirect operating expenditures for the forensic laboratory of the Kansas bureau of investigation: *Provided, however*; That all expenditures from this fund of moneys received as Kansas bureau of investigation laboratory analysis fees pursuant to K.S.A. 28-176, and amendments thereto, shall be for the purposes authorized by K.S.A. 28-176(e), and amendments thereto: *Provided further*; That all fees received for such laboratory tests, including all moneys received pursuant to K.S.A. 28-176(a), and amendments thereto, shall be deposited in the state treasury in accordance with the

provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the forensic laboratory and materials fee fund.

General fees fund (083-00-2140).....No limit

*Provided*, That expenditures may be made from the general fees fund for direct or indirect operating expenditures incurred for the following activities: (1) Conducting education and training classes for special agents and other personnel, including official hospitality; (2) purchasing illegal drugs, making contacts and acquiring information leading to illegal drug outlets, contraband and stolen property, and conducting other activities for similar investigatory purposes; (3) conducting investigations and related activities for the Kansas lottery or the Kansas racing and gaming commission; (4) conducting DNA forensic laboratory tests and related activities; (5) preparing, publishing and distributing crime prevention materials; and (6) conducting agency operations: *Provided, however*, That the director of the Kansas bureau of investigation is hereby authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses incurred, except as otherwise hereinafter provided, for the following: (1) Education and training services made available to local law enforcement personnel in classes conducted for special agents and other personnel of the Kansas bureau of investigation; (2) investigations and related activities conducted for the Kansas lottery or the Kansas racing and gaming commission, except that the fees fixed for these activities shall be fixed in order to recover all of the direct and indirect expenses incurred for such investigations and related activities; (3) DNA forensic laboratory tests and related activities; and (4) sale and distribution of crime prevention materials: *Provided further*, That all fees received for such activities shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That all moneys that are expended for any such evidence purchase, information acquisition or similar investigatory purpose or activity from whatever funding source and that are recovered shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That all moneys received as gifts, grants or donations for the preparation, publication or distribution of crime prevention materials shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund: *And provided further*, That expenditures from any moneys received from the division of alcoholic beverage control and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for operating expenditures: *And provided further*, That expenditures from any moneys received from the Kansas criminal justice information system committee and credited to the general fees fund may be made by the Kansas bureau of investigation for all purposes for which expenditures may be made for training activities and official hospitality.

Record check fee fund (083-00-2044-2010).....No limit

*Provided*, That the director of the Kansas bureau of investigation is authorized to fix, charge and collect fees in order to recover all or part of the direct and indirect operating expenses for criminal history record checks conducted for noncriminal justice entities

including government agencies and private organizations: *Provided, however;* That all moneys received for such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the record check fee fund: *Provided further;* That expenditures may be made from the record check fee fund for operating expenditures of the Kansas bureau of investigation.

Intergovernmental	
service fund (083-00-6119-6100).....	No limit
Agency motor pool fund (083-00-6117).....	No limit
National criminal history improvement program	
federal fund (083-00-3189-3189).....	No limit
Public safety partnership	
and community policing	
federal fund (083-00-3218-3218).....	No limit
Forensic DNA backlog reduction	
federal fund (083-00-3226-3226).....	No limit
Coverdell forensic sciences improvement	
federal fund (083-00-3227-3227).....	No limit
Anti-gang initiative	
federal fund (083-00-3229-3229).....	No limit
Homeland security federal fund (083-00-3199).....	No limit
State homeland security program	
federal fund (083-00-3629-3629).....	No limit
Convicted/arrestee DNA backlog reduction	
federal fund (083-00-3489-3489).....	No limit
Disaster grants – public assistance	
federal fund (083-00-3005-3005).....	No limit
Ed Byrne memorial justice assistance	
federal fund (083-00-3057).....	No limit
Ed Byrne state/local law enforcement	
federal fund (083-00-3213-3213).....	No limit
Violence against women – ARRA	
federal fund (083-00-3214).....	No limit
AWA implementation grant program	
federal fund (083-00-3228-3228).....	No limit
Ed Byrne memorial JAG – ARRA	
federal fund (083-00-3455-3455).....	No limit
Convicted offender/arrestee	
DNA backlog reduction	
federal fund (083-00-3489-3489).....	No limit

KBI-FBI reimbursement	
federal fund (083-00-3506-3506).....	No limit
Project safe	
neighborhoods fund (083-00-3217-3217).....	No limit
Social security administration reimbursement –	
federal fund (083-00-3560-3560).....	No limit
Bulletproof vest partnership –	
federal fund (083-00-3216-3211).....	No limit
Sexual assault kit grant –	
federal fund (083-00-3146-3146).....	No limit
Crime victim assistance	
discretionary grant (083-00-3250-3260).....	No limit
Opioid summit fund.....	No limit

(c) During the fiscal year ending June 30, 2022, the attorney general may authorize full-time non-FTE unclassified permanent positions and regular part-time non-FTE unclassified permanent positions for the Kansas bureau of investigation that are paid from appropriations for the attorney general – Kansas bureau of investigation for fiscal year 2022 made by this act or other appropriation act of the 2021 regular session of the legislature, which shall be in addition to the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, authorized for fiscal year 2022 for the attorney general – Kansas bureau of investigation. The attorney general shall certify each such authorization for non-FTE unclassified permanent positions for the Kansas bureau of investigation to the director of personnel services of the department of administration and shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

Sec. 125.

EMERGENCY MEDICAL SERVICES BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Emergency medical services	
operating fund (206-00-2326-4000).....	\$1,747,711

*Provided*, That the emergency medical services board is hereby authorized to fix, charge and collect fees in order to recover costs incurred for distributing educational videos, replacing lost educational materials and mailing labels of those licensed by the board: *Provided further*; That such fees may be fixed in order to recover all or part of such costs: *And provided further*; That all moneys received from such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the emergency medical services operating fund: *And provided further*; That, notwithstanding the provisions of K.S.A. 65-6128 or

65-6129b, and amendments thereto, or of any other statute, all moneys received by the emergency medical services board for fees authorized by law for licensure or the issuance of permits, or for any other regulatory duties and functions prescribed by law in the field of emergency medical services, shall be deposited in the state treasury to the credit of the emergency medical services operating fund of the emergency medical services board: *And provided further*; That expenditures from the emergency medical services operating fund for official hospitality shall not exceed \$2,000.

Education incentive grant  
payment fund (206-00-2396-2510).....No limit

*Provided*, That the priority for award of education incentive grants shall be to award such grants to rural areas.

EMS revolving fund (206-00-2449-2400).....No limit

*Provided*, That, if an organization agrees to receive money from the EMS revolving fund, the organization shall enter into a grant agreement requiring such organization to submit a written report to the emergency medical services board detailing and accounting for all expenditures and receipts related to the use of the moneys received from the EMS revolving fund: *Provided further*; That the emergency medical services board shall prepare a written report specifying and accounting for all moneys allocated to and expended from the EMS revolving fund: *And provided further*; That such report shall be submitted to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2022.

EMS criminal history and  
fingerprinting fund (206-00-2806-2806).....No limit

(b) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the emergency medical services operating fund (206-00-2326-4000) for fiscal year 2022 by this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made by the emergency medical services board from the emergency medical services operating fund for fiscal year 2022 for the purpose of implementing a grant program for emergency medical services training and educational assistance for persons in underserved areas: *Provided*, That when issuing such grants, first priority shall be given to ambulance services submitting applications seeking grants to pay the cost of recruiting volunteers and cost of the initial courses of training for attendants and instructor-coordinators: *Provided further*; That the second priority shall be given to ambulance services submitting applications seeking grants to pay the cost of continuing education for attendants and instructor-coordinators: *And provided further*; That the third priority shall be given to ambulance services submitting applications seeking grants to pay the cost of education for attendants and instructor-coordinators who are obtaining a postsecondary education degree.

(c) In addition to the other purposes for which expenditures may be made by the emergency medical services board from the moneys appropriated from the state general fund or from any special revenue fund or funds for the emergency medical services board for fiscal year 2022, as authorized by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the emergency medical services board from moneys appropriated from the state general fund or from

any special revenue fund or funds for the emergency medical services board for fiscal year 2022 to require emergency medical services agencies in each of the six EMS regions of the state to prepare and submit a report of the expenditures made and moneys received in each of the EMS regions that are related to the operation and administration of the Kansas emergency medical services regional operations to the emergency medical services board: *Provided*, That the report for each EMS region shall specify and account for all moneys appropriated from the state treasury for the emergency medical services board and disbursed to each such EMS region for the operation of the education and training of emergency medical attendants in each such EMS region.

(d) On July 1, 2021, and January 1, 2022, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$150,000 from the emergency medical services operating fund (206-00-2326-4000) to the educational incentive grant payment fund (206-00-2396-2510) of the emergency medical services board.

(e) During the fiscal year ending June 30, 2022, the director of the budget and the director of legislative research shall consult periodically and review the balance credited to and the estimated receipts to be credited to the emergency medical services operating fund (206-00-2326-4000) during fiscal year 2022, and, upon a finding by the director of the budget in consultation with the director of legislative research that the total of the unencumbered balance and estimated receipts to be credited to the emergency medical services operating fund during fiscal year 2022 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2022 in accordance with the provisions of appropriation acts, the director of the budget shall certify such funding to the director of accounts and reports. Upon receipt of any such certification, the director of accounts and reports shall transfer the amount of moneys from the education incentive grant payment fund (206-00-2396-2510) to the emergency medical services operating fund that is required, in accordance with the certification by the director of the budget under this subsection, to fund the budgeted expenditures and transfers from the emergency medical services operating fund for the remainder of fiscal year 2022 in accordance with the provisions of appropriation acts, as specified by the director of the budget pursuant to such certification.

(f) During the fiscal year ending June 30, 2022, if any EMS regional council enters into a grant agreement with the emergency medical services board, such council shall be required to submit pursuant to such grant agreement a written report detailing and accounting for all expenditures and receipts of such council during such fiscal year. The emergency medical services board shall prepare a written report specifying and accounting for all moneys received by and expended by each individual council that has reported to the emergency medical services board pursuant to such grant agreement and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means on or before February 1, 2022.

Sec. 126.

#### KANSAS SENTENCING COMMISSION

(a) On the effective date of this act, of the \$1,088,747 appropriated and

reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 110(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the operating expenditures account (626-00-1000-0303), the sum of \$237,392 is hereby lapsed.

(b) On the effective date of this act, of the \$10,839,584 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 110(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the substance abuse treatment programs account (626-00-1000-0600), the sum of \$920,246 is hereby lapsed.

Sec. 127.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (626-00-1000-0303).....\$961,734

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$900.

Substance abuse treatment programs (626-00-1000-0600).....\$7,834,019

*Provided*, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from such reappropriated balance shall not exceed \$986,490, except upon approval of the state finance council: *Provided further*; That, notwithstanding the provisions of K.S.A. 2020 Supp. 21-6824, and amendments thereto, or any other statute, in addition to other purposes for which expenditures may be made by the above agency from the substance abuse treatment program account of the state general fund during fiscal year 2022, expenditures may be made from such account for operating costs.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

General fees fund (626-00-2201-2000).....No limit

Statistical analysis – federal fund (626-00-3600).....No limit

Coronavirus relief fund (626-00-3753).....No limit

Sec. 128.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 112(a) of chapter 5 of the 2020 Session Laws of Kansas on the Kansas commission on peace officers' standards and training fund (529-00-2583-2580) of the Kansas commission on peace officers' standards and training is hereby increased from \$691,229 to \$705,662.

Sec. 129.

KANSAS COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas commission on peace officers' standards and training fund (529-00-2583-2580).....\$711,904

*Provided*, That expenditures from the Kansas commission on peace officers' standards and training fund for official hospitality shall not exceed \$1,000.

Local law enforcement training reimbursement fund (529-00-2746-2700).....No limit

Sec. 130.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2021, for the state water plan project or projects specified, the following:

Lake restoration (046-00-1800-1275).....\$820,177

(b) On the effective date of this act, of the \$9,833,884 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 113(a) of chapter 5 of the 2020 Session Laws of Kansas and revised under the authority granted in K.S.A. 75-3722, and amendments thereto, from the state general fund in the operating expenditures account (046-00-1000-0053), the sum of \$390,642 is hereby lapsed.

(c) On the effective date of this act, of the \$701,783 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 113(c) of chapter 5 of the 2020 Session Laws of Kansas from the state water plan fund in the interstate water issues account (046-00-1800-0070), the sum of \$16,645 is hereby lapsed.

(d) On the effective date of this act, of the \$865,643 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 113(c) of chapter 5 of the 2020 Session Laws of Kansas from the state water plan fund in the subbasin water resources management account (046-00-1800-0080), the sum of \$26,737 is hereby lapsed.

(e) On the effective date of this act, of the \$2,881,451 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 113(c) of chapter 5 of the 2020 Session Laws of Kansas from the state water plan fund in the water resource cost share account (046-00-1800-1205), the sum of \$250,208 is hereby lapsed.

(f) On the effective date of this act, of the \$2,131,892 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 113(c) of chapter 5 of the 2020 Session Laws of Kansas from the state water plan fund in the nonpoint source pollution assistance account (046-00-1800-1210), the sum of \$4,603 is hereby lapsed.

(g) On the effective date of this act, of the \$2,342,637 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 113(c) of chapter 5 of the 2020 Session Laws of Kansas from the state water plan fund in the conservation district aid account (046-00-1800-1220), the sum of \$150,000 is hereby lapsed.

(h) On the effective date of this act, of the \$858,034 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 113(c) of chapter 5 of the 2020 Session Laws of Kansas from the state water plan fund in the Kansas conservation reserve enhancement program fund account (046-00-1800-1225), the sum of \$403,098 is hereby lapsed.

(i) On the effective date of this act, of the \$750,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 113(c) of chapter 5 of the 2020 Session Laws of Kansas from the state water plan fund in the watershed dam construction account (046-00-1800-1240), the sum of \$200,000 is hereby lapsed.

(j) On the effective date of this act, of the \$1,570,700 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 113(c) of chapter 5 of the 2020 Session Laws of Kansas from the state water plan fund in the streambank stabilization projects account (046-00-1800-1290), the sum of \$250,000 is hereby lapsed.

(k) On the effective date of this act, of the \$1,035,436 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 113(f) of chapter 5 of the 2020 Session Laws of Kansas from the agriculture marketing program account (046-00-1900-1110) of the state economic development initiatives fund, the sum of \$51,772 is hereby lapsed.

Sec. 131.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (046-00-1000-0053).....\$9,006,155

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated to the operating expenditures account for fiscal year 2022: *Provided further*; That expenditures from this

account for official hospitality shall not exceed \$10,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Dairy fee fund (046-00-2105-1015).....	No limit
Meat and poultry inspection fee fund (046-00-2004-0700).....	No limit
Plant protection fee fund (046-00-2006-0900).....	No limit
Laboratory equipment fund (046-00-2710-2700).....	No limit
Water structures – state highway fund (046-00-2043-1080).....	No limit
Soil amendment fee fund (046-00-2117-1100).....	No limit
Agricultural liming materials fee fund (046-00-2118-1200).....	No limit
Weights and measures fee fund (046-00-2165-1500).....	No limit
Water appropriation certification fund (046-00-2168-1600).....	No limit
Water resources cost fund (046-00-2110-1020).....	No limit
<i>Provided, That all moneys received by the secretary of agriculture from any governmental or nongovernmental source to implement the provisions of the Kansas water banking act, K.S.A. 82a-761 through 82a-773, and amendments thereto, which are hereby authorized to be applied for and received, shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the water resources cost fund.</i>	
Agriculture seed fee fund (046-00-2187-2720).....	No limit
Chemigation fee fund (046-00-2194-1800).....	No limit
Petroleum inspection fee fund (046-00-2550-2550).....	No limit
Kansas agricultural remediation fund (046-00-2095-1090).....	No limit
Warehouse fee fund (046-00-2809-4700).....	No limit
U.S. geological survey cooperative gauge agreement	

grants fund (046-00-2629-2800).....No limit

*Provided*, That the secretary of agriculture is hereby authorized to enter into a cooperative gauge agreement with the United States geological survey: *Provided further*, That all moneys collected for the construction or operation of river water intake gauges shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the U.S. geological survey cooperative gauge agreement grants fund: *And provided further*, That expenditures may be made from this fund to pay the costs incurred in the construction or operation of river water intake gauges.

Agricultural chemical  
fee fund (046-00-2800-2900).....No limit

Feeding stuffs  
fee fund (046-00-2801-4000).....No limit

Fertilizer fee fund (046-00-2802-4100).....No limit

Plant pest emergency  
response fund (046-00-2210-1805).....No limit

Pesticide use fee fund (046-00-2804-4300).....No limit

Egg fee fund (046-00-2808-4600).....No limit

Water structures fund (046-00-2037-1075).....No limit

Meat and poultry inspection  
fund – federal (046-00-3013).....No limit

EPA pesticide performance partnership grant –  
federal fund (046-00-3295-3290).....No limit

FEMA dam safety –  
federal fund (046-00-3362-3353).....No limit

State trade and export promotion –  
federal fund (046-00-3573-3576).....No limit

Conversion of materials and  
equipment fund (046-00-2402-2200).....No limit

Trademark fund (046-00-2333-2360).....No limit

Water structures USGS  
LIDAR grant (046-00-3080-3080).....No limit

Water structures NRCS  
LIDAR grant (046-00-3081-3081).....No limit

Specialty crop block  
grant fund (046-00-3463-3300).....No limit

Market development  
fund (046-00-2331-2351).....No limit

*Provided*, That expenditures may be made from the market development fund for

official hospitality: *Provided further*, That expenditures may be made from the market development fund for loans pursuant to loan agreements, which are hereby authorized to be entered into by the secretary of agriculture: *And provided further*, That all moneys received by the department of agriculture for repayment of loans made under the agricultural value added center program shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the market development fund.

Reimbursement and recovery fund (046-00-2773-2294).....No limit

*Provided*, That expenditures may be made from the reimbursement and recovery fund for official hospitality.

Conference registration and disbursement fund (046-00-2772-2101).....No limit

*Provided*, That expenditures may be made from the conference registration and disbursement fund for official hospitality.

Buffer participation incentive fund (046-00-2517-2510).....No limit

Land reclamation fee fund (046-00-2542-2090).....No limit

Livestock brand fee fund (046-00-2011-2030).....No limit

Livestock market brand inspection fee fund (046-00-2007-2010).....No limit

Veterinary inspection fee fund (046-00-2009-2020).....No limit

Animal dealers fee fund (046-00-2207-2050).....No limit

*Provided*, That expenditures from the animal dealers fee fund for official hospitality shall not exceed \$300: *Provided further*, That expenditures shall be made from the animal dealers fee fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707, and amendments thereto, to be provided through the internet or printed booklets.

Animal disease control fund (046-00-2202-2500).....No limit

*Provided*, That expenditures from the animal disease control fund for official hospitality shall not exceed \$450: *Provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2022 the Kansas department of agriculture may prorate license fees and alter license due dates as needed in order to transition to online license applications and renewals for the fiscal year ending June 30, 2022.

Health and human services retail food audit –  
federal fund (046-00-3429-3410).....No limit

Publications fee fund (046-00-2322-2000).....No limit

*Provided*, That expenditures may be made from the publications fee fund for operating expenditures related to preparation and publication of informational or educational materials related to the programs or functions of the Kansas department of agriculture: *Provided further*; That, notwithstanding the provisions of K.S.A. 75-1005, and amendments thereto, to the contrary, the secretary of agriculture is hereby authorized to enter into a contract with a commercial publisher for the printing, distribution and sale of such materials: *And provided further*; That the secretary of agriculture is hereby authorized to collect fees from such commercial publisher pursuant to contract with the publisher for the sale of such materials: *And provided further*; That the secretary of agriculture is hereby authorized to receive and accept grants, gifts, donations or funds from any non-federal source for the printing, publication and distribution of such materials: *And provided further*; That all moneys received from such fees or for such grants, gifts, donations or other funds received for such purpose shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the publications fee fund.

Homeland security grant –  
federal fund (046-00-3199-3436).....No limit

National floodplain insurance assistance (CAP) –  
federal fund (046-00-3445-3330).....No limit

Cooperating technical partners –  
federal fund (046-00-3203-3210).....No limit

Plant and animal disease & pest control –  
federal fund (046-00-3360).....No limit

Market protection/  
promotion fund (046-00-3104-3315).....No limit

USDA Kansas forestry service –  
federal fund (046-00-3426-3380).....No limit

Food safety fee fund (046-00-2813-4805).....No limit

Gifts and donations fund (046-00-7305-7000).....No limit

*Provided*, That the secretary of agriculture is hereby authorized to receive gifts and donations of resources and money for services for the benefit and support of agriculture and purposes related thereto: *Provided further*; That such gifts and donations of money shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the gifts and donations fund.

General fees fund (046-00-2346-2100).....No limit

*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the regulatory programs of the Kansas department of agriculture and for official hospitality: *Provided further*; That the director of accounts and reports shall

transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture that have available moneys to the general fees fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Lodging fee fund (046-00-2456-2400).....No limit

Watershed protect approach/WTR RSRCE

MGT fund (046-00-3889).....No limit

NRCS contribution agreement farm bill –

federal fund (046-00-3917-3800).....No limit

Compliance education

fee fund (046-00-2757-2757).....No limit

*Provided*, That all expenditures from the compliance education fee fund shall be for the purposes of compliance education: *Provided further*, That, notwithstanding the provisions of any statute to the contrary, during fiscal year 2022, the secretary of agriculture is hereby authorized to remit and designate amounts of moneys collected for civil fines and penalties by the department of agriculture to the state treasurer for deposit in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the compliance education fee fund: *And provided further*, That, upon receipt of each such remittance and designation, the state treasurer shall credit the entire amount of such remittance to the compliance education fee fund.

Laboratory testing services

fee fund (046-00-2752-2752).....No limit

*Provided*, That expenditures may be made from the laboratory testing services fee fund for administrative operating expenditures of the agriculture laboratory of the Kansas department of agriculture: *Provided further*, That the director of accounts and reports shall transfer an amount or amounts specified by the secretary of agriculture from any special revenue fund or funds of the department of agriculture that have available moneys to the laboratory testing services fee fund: *And provided further*, That the director of accounts and reports shall transmit a copy of such transfer request to the director of legislative research.

Arkansas river gaging fund (046-00-2751-2751).....No limit

Food/drug administration/research (046-00-3462).....No limit

Biofuel infrastructure

program (046-00-3579-3579).....No limit

AMS farmers market

promotion program (046-00-3588-3588).....No limit

Grain commodity commission

services fund (046-00-2018-1070).....No limit

Commercial industrial hemp act licensing

fee fund (046-00-2343-2343).....No limit

Plant/animal disease and pest control (046-00-3360).....No limit

Service member ag grant (046-00-3185-3185).....	No limit
NRCS grant CFDA 10.932 fund (046-00-3022-3903).....	No limit
NRCS grant CFDA 10.931 fund (046-00-3228-3220).....	No limit
Ag stats report fund (046-00-3427-3390).....	No limit
NRCS grant CFDA 10.069 fund (046-00-3952-3901).....	No limit
NRCS grant CFDA 10.924 fund (046-00-3953-3902).....	No limit
Flx finding mdl coop agrmt fund (046-00-3954-3905).....	No limit
NRCS grant CFDA 10.912 fund (046-00-3955-3904).....	No limit
Coronavirus relief fund – federal fund (046-00-3753).....	No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2022, for the water plan project or projects specified, the following:

Water resources	
cost share (046-00-1800-1205).....	\$2,248,289

*Provided*, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That the initial allocation for grants to conservation districts for fiscal year 2022 shall be made on a priority basis, as determined by the secretary of agriculture and the provisions of the state water plan: *And provided further*, That expenditures from this account for contractual technical expertise and/or non-salary administration expenditures for the division of conservation of the Kansas department of agriculture shall not exceed the amount equal to 6.0% of the budget amount for fiscal year 2022 for the water resources cost share account.

Nonpoint source	
pollution assistance (046-00-1800-1210).....	\$1,853,185

*Provided*, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Conservation district aid (046-00-1800-1220).....	\$2,223,373
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*Provided*, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Watershed dam	
construction (046-00-1800-1240).....	\$550,000

*Provided*, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That expenditures from the watershed dam construction account are hereby authorized for engineering contracts for watershed planning as determined by the secretary of agriculture.

Kansas water quality

buffer initiatives (046-00-1800-1250).....	\$100,000
<i>Provided, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: Provided further, That all expenditures from the Kansas water quality buffer initiatives account shall be for grants or incentives to install water quality best management practices: And provided further, That such expenditures may be made from this account from the approved budget amount for fiscal year 2022 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives.</i>	
Riparian and wetland program (046-00-1800-1260).....	\$54,024
<i>Provided, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.</i>	
Basin management (046-00-1800-0080).....	\$584,023
<i>Provided, That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.</i>	
Water use (046-00-1800-0075).....	\$72,600
<i>Provided, That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.</i>	
Interstate water issues (046-00-1800-0070).....	\$473,184
<i>Provided, That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.</i>	
Kansas conservation reserve enhancement program fund (046-00-1800-1225).....	\$446,593
<i>Provided, That any unencumbered balance in the Kansas conservation reserve enhancement program fund account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.</i>	
Streambank stabilization projects (046-00-1800-1290).....	\$794,264
<i>Provided, That any unencumbered balance in the streambank stabilization projects account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.</i>	
Irrigation technology (046-00-1800-0088).....	\$250,000
<i>Provided, That any unencumbered balance in the irrigation technology account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.</i>	
Crop and livestock research (046-00-1800).....	\$250,000
<i>Provided, That any unencumbered balance in the crop and livestock research account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.</i>	

(d) During the fiscal year ending June 30, 2022, the secretary of agriculture, with the approval of the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, or upon specific authorization in an appropriation act of the legislature, may transfer any part of any item of appropriation for fiscal year 2022 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2022 from the state water plan fund for the Kansas department of agriculture: *Provided*, That the secretary of agriculture shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2021, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$128,379 from the state highway fund of the department of transportation to the water structures – state highway fund (046-00-2043-1080) of the Kansas department of agriculture.

(f) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2022, the following:

Agriculture marketing  
 program (046-00-1900-1110).....\$983,664

*Provided*, That expenditures may be made from the agriculture marketing program account for loans pursuant to loan agreements, which are hereby authorized to be entered into by the secretary of agriculture in accordance with repayment provisions and other terms and conditions as may be prescribed by the secretary of agriculture therefor under the agricultural value added center program.

Sec. 132.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (373-00-1000-0103).....\$135,000

*Provided*, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That the above agency shall make expenditures from the operating expenditures account during the fiscal year 2022 to request assistance from other state agencies to negotiate with the city of Hutchinson on the increase of storm water charges and the electric company on how electricity is calculated.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures, other than refunds authorized by law and remittances of sales tax to the department of

revenue, shall not exceed the following:

State fair fee fund (373-00-5182-5100).....No limit

*Provided*, That expenditures from the state fair fee fund for official hospitality shall not exceed \$10,000.

State fair special cash fund (373-00-9088-9000).....No limit

State fair debt service special revenue fund (373-00-2267-2200).....No limit

Sec. 133.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2021, for the water plan project or projects specified, the following:

MOU – storage operations and maintenance (709-00-1800-1150) .....\$105,962

(b) On the effective date of this act, of the \$836,039 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 117(c) of chapter 5 of the 2020 Session Laws of Kansas from the state water plan fund in the assessment and evaluation account (709-00-1800-1110), the sum of \$236,862 is hereby lapsed.

(c) On the effective date of this act, of the \$432,680 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 117(c) of chapter 5 of the 2020 Session Laws of Kansas from the state water plan fund in the stream gaging account (709-00-1800-1190), the sum of \$19,100 is hereby lapsed.

(d) On the effective date of this act, of the \$452,304 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 117(c) of chapter 5 of the 2020 Session Laws of Kansas from the state water plan fund in the reservoir bathymetric surveys and biological research account (709-00-1800-1275), the sum of \$50,000 is hereby lapsed.

(e) On the effective date of this act, any unencumbered balance in the best management practices implementation account (709-00-1800-1286) of the state water plan fund is hereby lapsed.

(f) On the effective date of this act, of the \$59,141 appropriated and reappropriated for the above agency for the fiscal year ending June 30, 2021, by section 117(c) of chapter 5 of the 2020 Session Laws of Kansas from the state water plan fund in the equus beds aquifer chloride plume pilot account (709-00-1800-1287), the sum of \$50,000 is hereby lapsed.

(g) On the effective date of this act, of the \$660,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 117(c) of chapter 5 of the 2020 Session Laws of Kansas from the state water plan fund in the water injection dredging account (709-00-1800-1290), the sum of \$510,000 is hereby lapsed.

(h) On the effective date of this act, or as soon as moneys are available, the director of accounts and reports shall transfer \$2,407,699 from the state water plan fund to the state general fund.

Sec. 134.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Water resources operating  
expenditures (709-00-1000-0303).....\$922,239

*Provided*, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,500.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Local water project  
match fund (709-00-2620-3200).....No limit

*Provided*, That all moneys received from local government entities and instrumentalities to be used to match funds for water projects shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the local water project match fund: *Provided further*; That all moneys credited to this fund shall be used to match state funds or federal funds, or both, for water projects.

Water supply storage  
assurance fund (709-00-2631).....No limit

*Provided*, That no additional water supply storage space shall be purchased in Milford, Perry, Big Hill or Hillsdale reservoirs during fiscal year 2022, unless a contract is entered into under the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, to supply water to users that is not held under contract in such reservoirs.

State conservation storage water  
supply fund (709-00-2502-2600).....No limit

Water marketing fund (709-00-2255-2100).....No limit

*Provided*, That expenditures may be made from the water marketing fund for the purchase of vessel liability insurance.

General fees fund (709-00-2022-2000).....No limit

*Provided*, That expenditures may be made from the general fees fund for operating expenditures for the Kansas water office, including training and informational programs

and official hospitality: *Provided further*; That the director of the Kansas water office is hereby authorized to fix, charge and collect fees for such programs: *And provided further*; That fees for such programs shall be fixed in order to recover all or part of the operating expenses incurred for such programs, including official hospitality: *And provided further*; That all fees received for such programs and all fees received for providing access to or for furnishing copies of public records shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the general fees fund.

Indirect cost fund (709-00-2419-2419).....No limit

Motor pool vehicle  
 replacement fund (709-00-6120-6100).....No limit

Reservoir storage beneficial  
 use fund (709-00-2673-2630).....No limit

*Provided*, That expenditures may be made by the above agency from the reservoir storage beneficial use fund to call water into service for beneficial uses or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the reservoir storage beneficial use fund.

Republican river water  
 conservation projects – Nebraska  
 moneys fund (709-00-2690-2640).....No limit

Republican river water  
 conservation projects – Colorado  
 moneys fund (709-00-2691-2680).....No limit

Lower Smoky Hill water supply  
 access fund (709-00-2772-2700).....No limit

Milford RCPP federal fund (709-00-3022-3022).....No limit

Lower Smoky Hill water supply  
 access fund (709-00-2203-2203).....No limit

EPA wetland development  
 grant fund (709-00-3914-3990).....No limit

Distribution management plan – CDFA 97.042.....No limit

Emergency management  
 performance grant (709-00-3342-3342).....No limit

HHPD rehabilitation –  
 CDFA 97.041 (709-00-3362-3362).....No limit

Multipurpose grant –  
 CDFA 66-204 (709-00-3103-3103).....No limit

South fork Republican river water conservation  
 projects fund (709-00-2824-2824).....No limit

*Provided*, That during the fiscal year ending June 30, 2022, the above agency shall

pay an amount equal to the amount certified pursuant to subsection (b) from the south fork Republican river water conservation projects fund as a grant pursuant to the grant agreement entered into by the Kansas water office and the Cheyenne county conservation district, and amendments thereto: *Provided further*, That in accordance with the grant agreement, such moneys shall be used exclusively for the purposes of paying all or a portion of the costs of the projects specified in K.S.A. 82a-1804(g), and amendments thereto, in the area lying in the south fork of the upper Republican river basin in northwest Kansas in all or parts of Cheyenne and Sherman counties: *And provided further*, That in accordance with the grant agreement, all expenditures of such moneys shall be approved by the Cheyenne county conservation district and the Kansas water office: *And provided further*, That, in accordance with the grant agreement, such moneys shall be administered by the Cheyenne county conservation district and any interest earned on such moneys shall be used for the purposes prescribed by this subsection: *And provided further*, That in accordance with the grant agreement, all expenditures and the status of new projects approved by the Cheyenne county conservation district shall be reported not later than November 1 of each calendar year to the Kansas water office.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2022, for the state water plan project or projects specified, the following:

Assessment and evaluation (709-00-1800-1110).....\$858,919

*Provided*, That any unencumbered balance in the assessment and evaluation account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

MOU – storage operations  
and maintenance (709-00-1800-1150).....\$526,081

*Provided*, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Stream gaging (709-00-1800-1190).....\$423,130

*Provided*, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Technical assistance to  
water users (709-00-1800-1200).....\$325,000

*Provided*, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Milford lake watershed regional conservation  
partnership program (709-00-1800-1280).....\$200,000

*Provided*, That any unencumbered balance in the Milford lake watershed regional conservation partnership program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Best management

practices implementation (709-00-1800-1286).....	\$550,000
<i>Provided</i> , That any unencumbered balance in the best management practices implementation account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.	
Water vision education (709-00-1800-1281).....	\$125,000
<i>Provided</i> , That any unencumbered balance in the water vision education account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.	
Reservoir bathymetric surveys and biological research (709-00-1800-1275).....	\$350,000
<i>Provided</i> , That any unencumbered balance in the reservoir bathymetric surveys and biological research account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.	
Water technology farms (709-00-1800-1282).....	\$100,000
<i>Provided</i> , That any unencumbered balance in the water technology farms account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.	
Water injection dredging (709-00-1800-1290).....	\$975,000
Arbuckle study (709-00-1800-1289).....	\$60,000

(d) During the fiscal year ending June 30, 2022, the director of the Kansas water office, with approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2022 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2022 from the state water plan fund for the Kansas water office: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to: (1) The director of legislative research; (2) the chairperson of the house of representatives agriculture and natural resources budget committee; and (3) the appropriate chairperson of the subcommittee on natural resources of the senate committee on ways and means.

(e) During the fiscal year ending June 30, 2022, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund (709-00-2255-2100) of the Kansas water office as a result of a cash flow shortfall, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to maintain the cash flow of the water marketing fund upon approval of each such loan by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto. No such loan shall be made unless the terms have been approved by the director of the budget. A copy of the terms of each such loan shall be submitted to the director of legislative research. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall be repaid without interest within one year from the date of the loan.

(f) During the fiscal year ending June 30, 2022, if it appears that the resources are insufficient to meet in full the estimated expenditures as they become due to meet the financial obligations imposed by law on the water marketing fund (709-00-2255-2100) of the Kansas water office as a result of increases in water rates, fees or charges imposed by the federal government, the pooled money investment board is authorized and directed to loan to the director of the Kansas water office a sufficient amount or amounts of moneys to reimburse the water marketing fund for increases in water rates, fees or charges imposed by the federal government and to allow the Kansas water office to spread such increases to consumers over a longer period, except that no such loan shall be made unless the terms thereof have been approved by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto. The pooled money investment board is authorized and directed to use any moneys in the operating accounts, investment accounts or other investments of the state of Kansas to provide the funds for each such loan. Each such loan shall bear interest at a rate equal to the net earnings rate for the pooled money investment portfolio at the time of the making of such loan. Such loan shall not be deemed to be an indebtedness or debt of the state of Kansas within the meaning of section 6 of article 11 of the constitution of the state of Kansas. Upon certification to the pooled money investment board by the director of the Kansas water office of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the director of the Kansas water office from the state bank account or accounts to the water marketing fund of the Kansas water office. The principal and interest of each loan authorized pursuant to this subsection shall be repaid in payments payable at least annually for a period of not more than five years.

(g) During the fiscal year ending June 30, 2022, the director of accounts and reports shall transfer an amount or amounts specified by the director of the Kansas water office prior to April 1, 2022, from the water marketing fund (709-00-2255-2100) to the state general fund, in accordance with the provisions of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, and rules and regulations adopted thereunder, for the purposes of making repayments to the state general fund for moneys advanced for annual capital cost payments for water supply storage space in reservoirs.

(h) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the Kansas water office from moneys appropriated from the state general fund or any special revenue fund or funds for the above agency for fiscal year 2022 by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the Kansas water office from the state general fund or from any special revenue fund or funds for fiscal year 2022 to provide for the Kansas water office to lead database coordination of water quality and quantity data for all state water agencies and cooperating federal agencies to facilitate policy-making and such other matters relating thereto.

(i) Notwithstanding the provisions of K.S.A. 82a-1315c, and amendments thereto, or any other statute, on July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$414,324 from the water marketing fund (709-00-2255-2100) of the Kansas water office to the state general fund.

(j) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,260,426 from the state water plan fund to the state general fund: *Provided*, That the amount transferred from the state water plan fund to the state general fund pursuant to this subsection is to reimburse the state general fund for bond payments for the John Redmond reservoir dredging project.

(k) During the fiscal year ending June 30, 2022, the director of the Kansas water office shall certify to the director of accounts and reports the amount of moneys expended by the Kansas department of agriculture from the state general fund that is attributable to the administration of the state water plan storage act, K.S.A. 82a-1301 et seq., and amendments thereto, or the water assurance program act, K.S.A. 82a-1330 et seq., and amendments thereto: *Provided*, That upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount certified from the water marketing fund (709-00-2255-2100) of the Kansas water office to the state general fund: *Provided further*, That the director of the Kansas water office shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

(l) During the fiscal year ending June 30, 2022, the director of the Kansas water office shall certify the amount of moneys in the Republican river water conservation projects – Colorado moneys fund and shall transmit such certification, along with the amount to be transferred, to the director of accounts and reports. Upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer the amount specified by the director of the Kansas water office from the Republican river water conservation projects – Colorado moneys fund to the south fork Republican river water conservation projects fund: *Provided*, That the director of the Kansas water office shall transmit a copy of such certification to the director of the budget and to the director of legislative research.

Sec. 135.

KANSAS DEPARTMENT OF  
WILDLIFE, PARKS AND TOURISM

(a) On the effective date of this act, of the \$1,744,728 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 119(a) of chapter 5 of the 2020 Session Laws of Kansas from the state economic development initiatives fund in the operating expenditures account (710-00-1900-1910), the sum of \$1,142 is hereby lapsed.

(b) On the effective date of this act, of the \$1,598,719 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 119(a) of chapter 5 of the 2020 Session Laws of Kansas from the state economic development initiatives fund in the state parks operating expenditures account (710-00-1900-1920), the sum of \$2,415 is hereby lapsed.

(c) On the effective date of this act, of the \$36,342 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 119(a) of chapter 5 of the 2020 Session Laws of Kansas from the state economic development initiatives fund in the reimbursement for annual licenses issued to national guard members account (710-

00-1900-1930), the sum of \$18,702 is hereby lapsed.

(d) On the effective date of this act, of the \$17,922 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 119(a) of chapter 5 of the 2020 Session Laws of Kansas from the state economic development initiatives fund in the reimbursement for annual park permits issued to national guard members account (710-00-1900-1940), the sum of \$9,747 is hereby lapsed.

(e) On the effective date of this act, of the \$69,827 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 119(a) of chapter 5 of the 2020 Session Laws of Kansas from the state economic development initiatives fund in the reimbursement for annual licenses issued to Kansas disabled veterans account (710-00-1900-1950), the sum of \$17,259 is hereby lapsed.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 155(f) of chapter 5 of the 2020 Session Laws of Kansas on the parks rehabilitation and repair projects account (710-00-2122-2066) of the parks fee fund of the Kansas department of wildlife, parks and tourism is hereby increased from \$1,205,000 to \$1,250,000.

Sec. 136.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (710-00-1900-1910).....\$1,829,733

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: Provided, however, That expenditures from this account for official hospitality shall not exceed \$1,000: Provided further, That, in addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures account for fiscal year 2022, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2022 to include a provision on the calendar year 2022 applications for hunting licenses, fishing licenses and annual park permits for the applicant to make a voluntary contribution of \$2 or more to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members: And provided further, That all moneys received as voluntary contributions to support the annual licenses issued to Kansas disabled veterans, annual licenses issued to Kansas national guard members, and annual park permits issued to Kansas national guard members shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the free licenses and permits fund.

State parks operating expenditures (710-00-1900-1920).....\$1,611,299

Provided, That any unencumbered balance in the state parks operating expenditures

account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Reimbursement for annual  
 licenses issued to national  
 guard members (710-00-1900-1930).....\$36,342

*Provided*, That any unencumbered balance in the reimbursement for annual licenses issued to national guard members account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That all moneys in the reimbursement for annual licenses issued to national guard members account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2022 to Kansas army or air national guard members, which licenses are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual licenses issued to national guard members account to pay the wildlife fee fund for such licenses.

Reimbursement for annual  
 park permits issued to national  
 guard members (710-00-1900-1940).....\$17,922

*Provided*, That any unencumbered balance in the reimbursement for annual park permits issued to national guard members account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That all moneys in the reimbursement for annual park permits issued to national guard members account shall be expended to pay the parks fee fund for the cost of fees for annual park vehicle permits issued for the calendar year 2022 to Kansas army or air national guard members, which annual park vehicle permits are hereby authorized to be issued without charge to such members in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in the reimbursement for annual park permits issued to national guard members account to pay the parks fee fund for such permits: *Provided further*; That not more than one annual park vehicle permit per family shall be eligible to be paid from this account.

Reimbursement for annual  
 licenses issued to Kansas  
 disabled veterans (710-00-1900-1950).....\$69,827

*Provided*, That any unencumbered balance in the reimbursement for annual licenses issued to Kansas disabled veterans account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*; That all moneys in the reimbursement for annual licenses issued to Kansas disabled veterans account shall be expended to pay the wildlife fee fund for the cost of fees for annual hunting and annual fishing licenses issued for the calendar year 2022 to Kansas disabled veterans, which licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife and parks therefor and subject to the limitation of the moneys appropriated and available in

the reimbursement for annual licenses issued to Kansas disabled veterans account to pay the wildlife fee fund for such licenses: *Provided, however;* That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions, have a disability certified by the Kansas commission on veterans affairs as being service connected and such service-connected disability is equal to or greater than 30%: *And provided further;* That no other hunting or fishing licenses or permits shall be eligible to be paid from this account.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Wildlife fee fund (710-00-2300-2890).....\$34,732,891

*Provided,* That additional expenditures may be made from the wildlife fee fund for fiscal year 2022 for the purposes of compensating federal aid program expenditures, if necessary, in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further;* That all such expenditures shall be in addition to any expenditure limitation imposed upon the wildlife fee fund for fiscal year 2022: *And provided further;* That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate: *And provided further;* That expenditures from the wildlife fee fund for official hospitality shall not exceed \$4,000.

Parks fee fund (710-00-2122-2053).....\$10,752,461

*Provided,* That additional expenditures may be made from the parks fee fund for fiscal year 2022 for the purposes of compensating federal aid program expenditures, if necessary, in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further;* That all such expenditures shall be in addition to any expenditure limitation imposed upon the parks fee fund for fiscal year 2022: *And provided further;* That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate.

Boating fee fund (710-00-2245-2813).....\$1,221,474

*Provided,* That additional expenditures may be made from the boating fee fund for fiscal year 2022 for the purposes of compensating federal aid program expenditures, if necessary, in order to comply with requirements established by the United States fish and wildlife service for the utilization of federal aid funds: *Provided further;* That all such expenditures shall be in addition to any expenditure limitation imposed upon the boating fee fund for fiscal year 2022: *And provided further;* That the secretary of wildlife and parks shall report all such expenditures to the governor and the legislature as appropriate.

Central aircraft fund (710-00-6145-6100).....No limit

*Provided,* That expenditures may be made by the above agency from the central aircraft fund for aircraft operating expenditures, for aircraft maintenance and repair, to provide aircraft services to other state agencies and for the purchase of state aircraft

insurance: *Provided further*; That the secretary of wildlife and parks is hereby authorized to fix, charge and collect fees for the provision of aircraft services to other state agencies: *And provided further*; That such fees shall be fixed to recover all or part of the operating expenditures incurred in providing such services: *And provided further*; That all fees received for such services shall be credited to the central aircraft fund.

Department access	
roads fund (710-00-2178-2761).....	\$1,702,547
Wildlife and parks	
nonrestricted fund (710-00-2065-2120).....	No limit
Prairie spirit rails-to-trails	
fee fund (710-00-2025-2030).....	No limit
Plant and animal disease and pest	
control fund (710-00-3360-3361).....	No limit
Nongame wildlife	
improvement fund (710-00-2593-3300).....	No limit
Wildlife conservation	
fund (710-00-2100-2020).....	No limit
Federally licensed wildlife	
areas fund (710-00-2670-3400).....	No limit
State agricultural	
production fund (710-00-2050-5100).....	No limit
Land and water conservation	
fund – state (710-00-3794-3920).....	No limit
Land and water conservation	
fund – local (710-00-3794-3795).....	No limit
Development and	
promotions fund (710-00-2097-2010).....	No limit
Department of wildlife	
and parks private gifts and	
donations fund (710-00-7335-7000).....	No limit
Fish and wildlife	
restitution fund (710-00-2166-2750).....	No limit
Parks restitution fund (710-00-2156-2100).....	No limit
Nonfederal grants fund (710-00-2063-2090).....	No limit
Disaster grants – public	
assistance fund (710-00-3005-3005).....	No limit
Soil/water	
conservation fund (710-00-3083-3083).....	No limit
Navigation projects fund (710-00-3191-3191).....	No limit

Recreation resource management fund (710-00-3197-3197).....	No limit
Cooperative endangered species conservation fund (710-00-3198-3198).....	No limit
Landowner incentive program fund (710-00-3200-3210).....	No limit
Bulletproof vest partnership fund (710-00-3216-3216).....	No limit
Recreational trails program fund (710-00-3238-3238).....	No limit
Highway planning/ construction fund (710-00-3333-3333).....	No limit
Americorps – ARRA fund (710-00-3404-3405).....	No limit
Cooperative forestry assistance fund (710-00-3426-3426).....	No limit
North America wetland conservation fund (710-00-3453-3453).....	No limit
Wildlife services fund (710-00-3485-3485).....	No limit
Fish/wildlife management assistance fund (710-00-3495-3495).....	No limit
Fish/wildlife core act fund (710-00-3513-3513).....	No limit
Great plains LCC.....	No limit
USDA grant manual update.....	No limit
Watershed protection/flood prevention fund (710-00-3906-3906).....	No limit
Suspense fund (710-00-9159-9000).....	No limit
Employee maintenance deduction clearing fund (710-00-9120-9100).....	No limit
Cabin revenue fund (710-00-2668-2660).....	No limit
Feed the hungry fund (710-00-2642-2640).....	No limit
State wildlife grants fund (710-00-3204-3204).....	No limit
Boating safety financial assistance fund (710-00-3251-3250).....	No limit
Wildlife restoration fund (710-00-3418-3418).....	No limit
Sport fish restoration fund (710-00-3490-3490).....	No limit
Outdoor recreation acquisition, development and	

planning fund (710-00-3794-3794).....No limit  
 Publication and other  
 sales fund (710-00-2399-2399).....No limit

*Provided*, That in addition to other purposes for which expenditures may be made by the above agency from moneys appropriated from the publication and other sales fund for fiscal year 2022, expenditures may be made from such fund for the purpose of compensating federal aid program expenditures, if necessary, in order to comply with the requirements established by the United States fish and wildlife service for utilization of federal aid funds: *Provided further*, That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2022: *And provided further*, That the secretary of wildlife and parks shall report all such expenditures to the governor and legislature as appropriate.

Free licenses and  
 permits fund (710-00-2493-2493).....No limit

Enforce underage drinking  
 law fund (710-00-3219-3219).....No limit

Migratory bird monitoring (710-00-3504-3504).....No limit

Voluntary public access (710-00-3557-3557).....No limit

Energy efficiency/conservation block  
 grant fund (710-00-3157-3157).....No limit

Endangered species –  
 recovery fund (710-00-3209-3209).....No limit

Wetlands reserve  
 program fund (710-00-3007-3060).....No limit

Adaptive science fund (710-00-3015-3050).....No limit

(c) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022, from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made by the above agency from such moneys appropriated from any special revenue fund or funds for fiscal year 2022, from which expenditures may be made for salaries and wages, for progression within the existing pay structure for natural resource officers of the Kansas department of wildlife and parks: *Provided, however*; That notwithstanding the provisions of K.S.A. 75-2935, and amendments thereto, or any other statute, the secretary of wildlife and parks shall not require such officer to transfer into the unclassified service in order to progress within the existing pay structure pursuant to this subsection.

(d) Notwithstanding the provisions of K.S.A. 2020 Supp. 32-9,100, and amendments thereto, or any other statute to the contrary, in addition to the other purposes for which expenditures may be made by the Kansas department of wildlife and parks from moneys appropriated from the wildlife fee fund (710-00-2300-2880) of the

Kansas department of wildlife and parks for the fiscal year ending June 30, 2022, by this or any other appropriation act of the 2021 regular session of the legislature, expenditures may be made by the above agency from such moneys during fiscal year 2022 to issue senior lifetime hunting and fishing licenses to Kansas resident disabled veterans who are 65 years of age or older: *Provided*, That such licenses are hereby authorized to be issued without charge to such veterans in accordance with policies and procedures prescribed by the secretary of wildlife and parks: *Provided further*, That to qualify for such license without charge, the resident disabled veteran shall have been separated from the armed services under honorable conditions and have a disability certified by the Kansas commission on veterans affairs office as being service-related and such service-connected disability is equal to or greater than 30%.

(e) On July 1, 2021, the wildlife, parks and tourism nonrestricted fund (710-00-2065-2120) of the Kansas department of wildlife and parks is hereby redesignated as the wildlife and parks nonrestricted fund of the Kansas department of wildlife and parks.

Sec. 137.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2021, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Driver's education scholarship grant fund (276-00).....	No limit
Transportation technology development fund (276-00-2835-2835).....	No limit
Broadband infrastructure construction grant fund (276-00-2836-2836).....	No limit
Short line rail improvement fund (276-00-2837-2837).....	No limit

(b) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the state highway fund of the department of transportation to the driver's education scholarship grant fund (276-00) of the department of transportation. The secretary is hereby authorized to transfer additional moneys to the driver's education scholarship grant fund from the state highway fund, and moneys from the driver's education scholarship grant fund to the state highway fund.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 120(a) of chapter 5 of the 2020 Session Laws of Kansas on the county equalization and adjustment fund (276-00-4210-4210) of the department of transportation is hereby increased from \$2,500,000 to \$2,510,094.

Sec. 138.

DEPARTMENT OF TRANSPORTATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

State highway fund (276-00-4100-4100) .....No limit

*Provided*, That no expenditures may be made from the state highway fund other than for the purposes specifically authorized by this or other appropriation act.

Special city and county  
highway fund (276-00-4220-4220) .....No limit

County equalization and  
adjustment fund (276-00-4210-4210).....\$2,500,000

Highway special  
permits fund (276-00-2576-2576).....\$0

Highway bond debt  
service fund (276-00-4707-9000).....No limit

Rail service  
improvement fund (276-00-2008-2100).....No limit

Transportation  
revolving fund (276-00-7511-1000).....No limit

Rail service assistance program loan  
guarantee fund (276-00-7502-7200).....No limit

Railroad rehabilitation loan  
guarantee fund (276-00-7503-7500).....No limit

*Provided*, That expenditures from the railroad rehabilitation loan guarantee fund shall not exceed the amount that the secretary of transportation is obligated to pay during the fiscal year ending June 30, 2022, in satisfaction of liabilities arising from the unconditional guarantee of payment that was entered into by the secretary of transportation in connection with the mid-states port authority federally taxable revenue refunding bonds, series 1994, dated May 1, 1994, authorized by K.S.A. 12-3420, and amendments thereto, and guaranteed pursuant to K.S.A. 75-5031, and amendments thereto.

Interagency motor vehicle fuel  
sales fund (276-00-2298-2400).....No limit

*Provided*, That expenditures may be made from the interagency motor vehicle fuel sales fund to provide and sell motor vehicle fuel to other state agencies: *Provided further*, That the secretary of transportation is hereby authorized to fix, charge and collect fees for motor vehicle fuel sold to other state agencies: *And provided further*, That such fees shall be fixed in order to recover all or part of the expenses incurred in providing motor vehicle fuel to other state agencies: *And provided further*, That all fees received for such sales of motor vehicle fuel shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the interagency motor vehicle fuel sales fund.

Coordinated public transportation assistance fund (276-00-2572-0300).....	No limit
Public use general aviation airport development fund (276-00-4140-4140).....	No limit
Highway bond proceeds fund (276-00-4109-4110).....	No limit
Communication system revolving fund (276-00-7524-7700).....	No limit
Traffic records enhancement fund (276-00-2356-2000).....	No limit
Other federal grants fund (276-00-3122-3100).....	No limit
Kansas intermodal transportation revolving fund (276-00-7552-7551).....	No limit
Conversion of materials and equipment fund (276-00-2256-2256).....	No limit
Seat belt safety fund (276-00-2216-2216).....	No limit
Driver's education scholarship grant fund (276-00).....	No limit
Transportation technology development fund (276-00-2835-2835).....	No limit
Broadband infrastructure construction grant fund (276-00-2836-2836).....	No limit
Short line rail improvement fund (276-00-2837-2837).....	No limit

(b) Expenditures may be made by the above agency for the fiscal year ending June 30, 2022, from the state highway fund (276-00-4100-4100) for the following specified purposes: *Provided*, That expenditures from the state highway fund for fiscal year 2022, other than refunds authorized by law for the following specified purposes, shall not exceed the limitations prescribed therefor as follows:

Agency operations (276-00-4100-0403).....\$283,051,550

*Provided*, That expenditures from the agency operations account of the state highway fund for official hospitality by the secretary of transportation shall not exceed \$5,000: *Provided further*; That expenditures may be made from this account for engineering services furnished to counties for road and bridge projects under K.S.A. 68-402e, and amendments thereto.

Conference fees (276-00-4100-2200).....No limit

*Provided*, That the secretary of transportation is hereby authorized to fix, charge and collect conference, training and workshop attendance and registration fees for conferences, training seminars and workshops sponsored or cosponsored by the department: *Provided further*; That such fees shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall

be credited to the conference fees account of the state highway fund: *And provided further*; That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.

Substantial maintenance (276-00-4100-0700).....	No limit
Claims (276-00-4100-1150).....	No limit
Payments for city	
connecting links (276-00-4100-6200).....	\$5,360,000
Federal local aid programs (276-00-4100-3000).....	No limit
Bond services fees (276-00-4100-0580).....	No limit
Other capital improvements (276-00-4100-8075).....	No limit

*Provided*, That the secretary of transportation is authorized to make expenditures from the other capital improvements account to undertake a program to assist cities and counties with railroad crossings of roads not on the state highway system.

(c) (1) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund (276-00-4100-4100) for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation	
and repair (276-00-4100-8005).....	\$4,100,000
Buildings – reroofing (276-00-4100-8010).....	\$771,178
Buildings – other construction, renovation	
and repair (276-00-4100-8070).....	\$10,090,284
Buildings – purchase land (276-00-4100-8065).....	\$45,000

(2) In addition to the other purposes for which expenditures may be made by the above agency from the state highway fund (276-00-4100-4100) for fiscal year 2022, expenditures may be made by the above agency from the state highway fund for fiscal year 2022 from the unencumbered balance as of June 30, 2021, in each capital improvement project account for a building or buildings in the state highway fund for one or more projects approved for prior fiscal years: *Provided*, That all expenditures from the unencumbered balance in any such project account of the state highway fund for fiscal year 2022 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2021, subject to the provisions of subsection (d): *Provided further*; That all expenditures from any such project account shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2022.

(d) During the fiscal year ending June 30, 2022, the secretary of transportation, with the approval of the director of the budget, may transfer any part of any item of appropriation in a capital improvement project account for a building or buildings for fiscal year 2022 from the state highway fund (276-00-4100-4100) for the department of transportation to another item of appropriation in a capital improvement project account

for a building or buildings for fiscal year 2022 from the state highway fund for the department of transportation: *Provided*, That the secretary of transportation shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(e) On April 1, 2022, the director of accounts and reports shall transfer from the motor pool service fund (173-00-6109-4020) of the department of administration to the state highway fund (276-00-4100-4100) of the department of transportation an amount determined to be equal to the sum of the annual vehicle registration fees for each vehicle owned or leased by the state or any state agencies in accordance with K.S.A. 75-4611, and amendments thereto.

(f) During the fiscal year ending June 30, 2022, upon notification from the secretary of transportation that an amount is due and payable from the railroad rehabilitation loan guarantee fund (276-00-7503-7500), the director of accounts and reports shall transfer from the state highway fund (276-00-4100-4100) to the railroad rehabilitation loan guarantee fund the amount certified by the secretary as due and payable.

(g) Any payment for services during the fiscal year ending June 30, 2022, from the state highway fund (276-00-4100-4100) to other state agencies shall be in addition to any expenditure limitation imposed on the state highway fund for fiscal year 2022.

(h) On July 1, 2021, October 1, 2021, January 1, 2022, and April 1, 2022, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$16,712,500 from the state highway fund (276-00-4100-4100) of the department of transportation to the state general fund: *Provided*, That the transfer of each such amount shall be in addition to any other transfer from the state highway fund of the department of transportation to the state general fund as prescribed by law: *Provided further*, That, in addition to other purposes for which transfers and expenditures may be made from the state highway fund during fiscal year 2022 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers may be made from the state highway fund to the state general fund under this subsection during fiscal year 2022.

(i) Notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2022, the secretary of transportation shall apportion and distribute quarterly, on the first day of January, April, July and October, to cities on the state highway system from the state highway fund moneys at the rate of \$5,000 per year per lane per mile for the maintenance of streets and highways in cities designated by the secretary as city connecting links: *Provided*, That all moneys so distributed shall be used solely for the maintenance of city connecting links: *Provided further*, That such apportionment shall apply only to those city connecting link lanes maintained by the city, and shall not apply to city connecting link lanes maintained by the secretary pursuant to agreement with the city: *And provided further*, That, as used in this subsection, "lane" means the portion of the roadway for use of moving traffic of a standard width prescribed by the secretary.

(j) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$100,000 from the state highway fund (276-00-4100-

4100) of the department of transportation to the driver's education scholarship grant fund (276-00) of the department of transportation: *Provided*, That the secretary of transportation is hereby authorized to transfer additional moneys from the state highway fund to the driver's education scholarship grant fund during the fiscal year ending June 30, 2022: *Provided further*; That the secretary shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

Sec. 139. In addition to the other purposes for which expenditures may be made by the legislature from the operations (including official hospitality) account of the state general fund for the fiscal year ending June 30, 2022, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2022 for an additional amount of allowance equal to the amount required to provide, along with the amount of allowance otherwise payable from appropriations for the legislature to each member of the legislature at the rate prescribed by K.S.A. 46-137a(c), and amendments thereto, an aggregate amount of allowance: (a) Equal to \$354.15 for the two-week period that coincides with the first biweekly payroll period, which is chargeable to fiscal year 2022 and for each of the 14 ensuing two-week periods thereafter; and (b) equal to \$354.15 for the two-week period that coincides with the biweekly payroll period, which includes March 20, 2022, which is chargeable to fiscal year 2022 and for each of the four ensuing two-week periods thereafter, for each member of the legislature to defray expenses incurred between sessions of the legislature for postage, telephone, office and other incidental expenses, which are chargeable to fiscal year 2022, notwithstanding the provisions of K.S.A. 46-137a, and amendments thereto: *Provided*, That all expenditures under this section for such purposes shall be made otherwise in the same manner that such allowance is payable to such members of the legislature for such two-week periods, for which such allowance is payable in accordance with this section and which are chargeable to fiscal year 2022.

Sec. 140. (a) (1) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2021 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2022 as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2022 to implement and accomplish the following objectives on or before October 1, 2021, pursuant to K.S.A. 75-3718b, and amendments thereto:

(A) A program service inventory. Such inventory shall include, but not be limited to, the following:

- (i) Identification of agency programs and subprograms by objective, function and purpose;
- (ii) the state or federal statutory citation authorizing those programs, if any;
- (iii) identification of programs that are mandatory versus discretionary;
- (iv) a history of the programs, including interaction with other agency programs

and objectives;

- (v) state matching or other federal financial requirements;
- (vi) prioritization of the level of all programs and subprograms; and
- (vii) the consequence of not funding the program or subprogram.

(B) An integrated budget fiscal process. Such process shall institute common accounting procedures consistent with budget development, budget approval, budget submission, through actual expenditures by fund.

(C) A performance based budgeting system. Such budgeting system shall include, but not be limited to, the following:

(i) Incorporation of various outcome based performance measures, for state programs; and

(ii) enhancement of the capability to compare program effectiveness across multiple state and political boundaries.

(2) On or before November 15, 2021, the division of post audit shall review each state agency's program service inventory, integrated budget fiscal process and performance based budgeting system and shall determine and certify whether such state agency is or is not meeting such objectives. If the legislative post auditor certifies that a state agency has not met the objectives, the legislative post auditor shall send a copy of such certification noting that the state agency has not met the objectives to the director of accounts and reports. Upon receipt of such certification, the director of accounts and reports shall lapse an amount equal to 2% of moneys appropriated or reappropriated for such state agency for the fiscal year ending June 30, 2022, by this or other appropriation act of the 2021 regular session of the legislature from the state general fund. At the same time that any certification is made by the legislative post auditor to the director of accounts and reports under this section, the legislative post auditor shall deliver a copy of such certification to the director of the budget and director of legislative research.

(b) (1) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2021 or 2022 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2023 as authorized by this or other appropriation act of the 2021 or 2022 regular session of the legislature, expenditures shall be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2023 to implement and accomplish the following objectives on or before October 1, 2022, pursuant to K.S.A. 75-3718b, and amendments thereto:

(A) A program service inventory. Such inventory shall include, but not be limited to, the following:

(i) Identification of agency programs and subprograms by objective, function and purpose;

(ii) the state or federal statutory citation authorizing those programs, if any;

(iii) identification of programs that are mandatory versus discretionary;

(iv) a history of the programs, including interaction with other agency programs and objectives;

(v) state matching or other federal financial requirements;

(vi) prioritization of the level of all programs and subprograms; and

(vii) the consequence of not funding the program or subprogram.

(B) An integrated budget fiscal process. Such process shall institute common accounting procedures consistent with budget development, budget approval, budget submission, through actual expenditures by fund.

(C) A performance based budgeting system. Such budgeting system shall include, but not be limited to, the following:

(i) Incorporation of various outcome based performance measures, for state programs; and

(ii) enhancement of the capability to compare program effectiveness across multiple state and political boundaries.

(2) On or before November 15, 2022, the division of post audit shall review each state agency's program service inventory, integrated budget fiscal process and performance based budgeting system and shall determine and certify whether such state agency is or is not meeting such objectives. If the legislative post auditor certifies that a state agency has not met the objectives, the legislative post auditor shall send a copy of such certification noting that the state agency has not met the objectives to the director of accounts and reports. Upon receipt of such certification, the director of accounts and reports shall lapse an amount equal to 2% of moneys appropriated or reappropriated for such state agency for the fiscal year ending June 30, 2023, by this or other appropriation act of the 2021 or 2022 regular session of the legislature from the state general fund. At the same time that any certification is made by the legislative post auditor to the director of accounts and reports under this section, the legislative post auditor shall deliver a copy of such certification to the director of the budget and director of legislative research.

(c) The following items are exempt from and shall not be lapsed pursuant to this section:

(1) Any item of appropriation or reappropriation from the state general fund for fiscal year 2022 or fiscal year 2023 for debt service for payments made pursuant to contractual bond obligations;

(2) any item of appropriation or reappropriation from the state general fund for fiscal year 2022 or fiscal year 2023 for the Kansas department for children and families, division of health care finance of the department of health and environment, department of corrections or the Kansas department for aging and disability services that are required to meet caseload obligations under the state medicaid plan, including general medical expenditures under KanCare and non-KanCare expenditures included in the consensus caseload estimating process or for the Kansas department for children and families to meet caseload obligations for temporary assistance for needy families, foster care and reintegration services contracts or adoption services contracts, as certified by

the director of the budget to the director of accounts and reports for the purposes of this subsection; and

(3) any item of appropriation or reappropriation from the state general fund for fiscal year 2022 or fiscal year 2023 for a postsecondary educational institution that has implemented the performance agreement pursuant to K.S.A. 74-3202d, and amendments thereto.

Sec. 141. During the fiscal years ending June 30, 2021, and June 30, 2022, after March 31, 2021, no state agency named in this or other appropriation act of the 2021 regular session of the legislature shall expend any moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal years 2021 and 2022 as authorized by chapter 5 of the 2020 Session Laws of Kansas, this or other appropriation act of the 2021 regular session of the legislature for the purposes of issuing or enforcing a statewide mask mandate unless the legislature expressly consents to, and approves of, a statewide mask mandate by an act of the legislature.

Sec. 142. (a) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2021 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 to enroll and actively participate in e-verify for verification of employment eligibility of all employees whose employment commences after January 1, 2022.

(b) During the fiscal year ending June 30, 2022, no state agency named in this or other appropriation act of the 2021 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 as authorized by this or other appropriation act of the 2021 regular session of the legislature for such state agency as authorized by this or other appropriation act of the 2021 regular session of the legislature to:

(1) Award either a public works or a purchase contract for goods or services having a value of at least \$50,000 to a bidder, contractor or employer unless such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify;

(2) authorize a bidder, contractor or employer to be eligible to bid for or receive either a public works contract or a purchase contract having a value of at least \$50,000 from any such state agency unless such bidder, contractor or employer certifies that such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify; or

(3) authorize such bidder, contractor or employer who bids on or receives a contract referenced in either paragraph (1) or (2) to bid or receive a contract prior to ensuring that any subcontractor used by the bidder, contractor or employer in the performance of the public works contract or purchase contract having a value of at least \$50,000 certifies the employment eligibility of the employees of such subcontractor through e-

verify.

(c) In addition to the other purposes for which expenditures may be made by any state agency named in this or other appropriation act of the 2021 or 2022 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 as authorized by this or other appropriation act of the 2021 or 2022 regular session of the legislature, expenditures are hereby authorized and directed to be made by each such state agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 to enroll and actively participate in e-verify for verification of employment status of all employees whose employment commences during fiscal year 2023.

(d) During the fiscal year ending June 30, 2023, no state agency named in this or other appropriation act of the 2021 or 2022 regular session of the legislature shall expend moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 as authorized by this or other appropriation act of the 2021 or 2022 regular session of the legislature for such state agency as authorized by this or other appropriation act of the 2021 or 2022 regular session of the legislature to:

(1) Award either a public works or a purchase contract for goods or services having a value of at least \$50,000 to a bidder, contractor or employer unless such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify;

(2) authorize a bidder, contractor or employer to be eligible to bid for or receive either a public works contract or a purchase contract having a value of at least \$50,000 from any such state agency unless such bidder, contractor or employer certifies that such bidder, contractor or employer verifies the employment eligibility of the employees of such bidder, contractor or employer through e-verify; or

(3) authorize such bidder, contractor or employer who bids on or receives a contract referenced in either paragraph (1) or (2) to bid or receive a contract prior to ensuring that any subcontractor used by the bidder, contractor or employer in the performance of the public works contract or purchase contract having a value of at least \$50,000 certifies the employment eligibility of the employees of such subcontractor through e-verify.

(e) As used in this section:

(1) "Employee" means any person who performs employmentservices for an employer pursuant to an employment relationship between the employee and the employer.

(2) "Employer" means any individual or type of organization that transacts business in this state and that employs one or more individuals who perform employment services in this state.

(3) "E-verify" means an electronic system jointly administered by the United States department of homeland security and the social security administration or its successor program, pursuant to 8 U.S.C. § 1324a, that is used to verify the employment authorization of employees.

Sec. 143. During the fiscal years ending June 30, 2021, and June 30, 2022, on the effective date of this act, no state agency named in this or other appropriation act of the 2021 regular session of the legislature shall expend any moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal years 2021 and 2022 as authorized by chapter 5 of the 2020 Session Laws of Kansas, this or other appropriation act of the 2021 regular session of the legislature for the purposes of issuing a request for proposal, continuing the process of any previously issued request for proposal or entering into a contract or agreement with any party to make any changes, improvements or upgrades to the technology infrastructure for claims, benefits and system integrity or to the methods for information and data sharing concerning Kansas unemployment benefits unless: (1) The unemployment compensation modernization and improvement council, created by 2021 Senate Substitute for Substitute for House Bill No. 2196, has reviewed any such request for proposal, contract or agreement and made a recommendation to the legislative coordinating council; and (2) the legislative coordinating council has authorized such state agency to proceed with the request for proposal, enter into an agreement or contract and make expenditures therefor. Such authorizations may be approved by the members of the legislative coordinating council, as provided in K.S.A. 46-1202, and amendments thereto, acting on this matter, which is hereby characterized as a matter of legislative delegation, except that such authorizations, disbursements and expenditures may also be approved while the legislature is in session. The legislative coordinating council is hereby authorized to approve the requests for such purposes. Upon receipt of such approval by the legislative coordinating council, the requesting state agency is authorized to expend all approved moneys lawfully credited to and available in such fund or funds during the fiscal years ending June 30, 2021, and June 30, 2022.

Sec. 144. During the fiscal year ending June 30, 2021, the director of the Kansas water office may transfer any part of any item of appropriation for fiscal year 2021 from the state water plan fund for the Kansas water office to any item of appropriation for fiscal year 2021 from the state water plan fund for the Kansas department of agriculture or the department of health and environment – division of environment: *Provided*, That the director of the Kansas water office shall certify each such transfer to the director of accounts and reports and upon receipt of such certification, the director of accounts and reports shall transfer such certified amount to the certified item of appropriation: *Provided further*; That when the director of the Kansas water office provides certification to the director of accounts and reports under this section, the director shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Sec. 145.

#### STATE FINANCE COUNCIL

(a) On the effective date of this act, the director of accounts and reports shall transfer \$17,500,000 from the coronavirus prevention fund of the state finance council to the state general fund.

Sec. 146.

#### DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for  
state facilities (173-00-1000-8500).....\$3,449,493

*Provided*, That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

National bio and agro-defense facility –  
debt service (173-00-1000-0460).....\$20,725,350

John Redmond reservoir  
debt service (173-00-1000-0461).....\$1,674,750

University of Kansas medical education building  
debt service (173-00-1000-0462).....\$1,862,750

Debt service  
refunding – 2015A (173-00-1000-0463).....\$23,203,550

Debt service refunding – 2016H (173-00-1000-0464).....\$6,288,000

Debt service  
refunding – 2019F/G (173-00-1000-0460).....\$3,526,966

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Veterans memorial fund (173-00-7253-7250).....No limit

State facilities gift fund (173-00-7263-7290).....No limit

Master lease program fund (173-00-8732).....No limit

State buildings  
depreciation fund (173-00-6149-4500).....No limit

Executive mansion gifts fund (173-00-7257-7270).....No limit

Topeka state hospital cemetery memorial  
gift fund (173-00-7337-7240).....No limit

Capitol area plaza authority  
planning fund (173-00-7121-7035).....No limit

*Provided*, That the secretary of administration may accept gifts, donations and grants of money, including payments from local units of city and county government, for the development of a new master plan for the capitol plaza and the state zoning area described in K.S.A. 75-3619, and amendments thereto: *Provided further*, That all such gifts, donations and grants shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the capitol area plaza authority planning fund.

Statehouse debt service – state highway fund (173-00-2861-2861).....No limit

*Provided*, That on September 1, 2021, or as soon thereafter each such date as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$2,348,000 from the state highway fund of the department of transportation to the statehouse debt service – state highway fund of the department of administration.

Debt service refunding – 2019F/G – state highway fund (173-00-2823-2823).....No limit

*Provided*, That on September 1, 2021, and February 1, 2022, or as soon thereafter each such date as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$1,530,159 from the state highway fund of the department of transportation to the debt service refunding – 2019F/G – state highway fund of the department of administration.

Debt service refunding – 2020R – state highway fund (173-00).....No limit

*Provided*, That on September 1, 2021, and February 1, 2022, or as soon thereafter each such date as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$7,580,475 from the state highway fund of the department of transportation to the debt service refunding – 2020R – state highway fund of the department of administration.

Debt service refunding – 2020S – state highway fund (173-00).....No limit

*Provided*, That on September 1, 2021, or as soon thereafter each such date as moneys are available, notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$775,600 from the state highway fund of the department of transportation to the debt service refunding – 2020S – state highway fund of the department of administration.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the building and ground fund (173-00-2028) for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parking improvements and repair (173-00-2028-2085).....No limit

(d) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings depreciation fund (173-00-6149) for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings depreciation fund for fiscal year 2022 for the following capital improvement project or projects, subject to the

expenditure limitations prescribed therefor:

State of Kansas facilities projects –	
debt service (173-00-6149-4520).....	No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state buildings depreciation fund for fiscal year 2022.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state buildings operating fund (173-00-6148) for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the state buildings operating fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Eisenhower building purchase and renovation –	
debt service (173-00-6148-4610).....	No limit

(f) In addition to the other purposes for which expenditures may be made by the above agency from the building and ground fund (173-00-2028), the state buildings depreciation fund (173-00-6149), and the state buildings operating fund (173-00-6148) for fiscal year 2022, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2022 from the unencumbered balance as of June 30, 2021, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2021: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2022 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2022.

Sec. 147.

DEPARTMENT OF COMMERCE

(a) In addition to the other purposes for which expenditures may be made by the above agency from the reimbursement and recovery fund (300-00-2275) for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the reimbursement and recovery fund during the fiscal year 2022, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Debt service – 1430	
Topeka facilities (300-00-2275-2297).....	\$133,228
Rehabilitation and repair (300-00-2275-2410).....	No limit

(b) In addition to the other purposes for which expenditures may be made by the above agency from the Wagner Peyser employment services – federal fund (300-00-3275) for fiscal year 2022, expenditures may be made by the above agency from the

following capital improvement account or accounts of the Wagner Peyser employment services – federal fund during the fiscal year 2022, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (300-00-3275-3272).....No limit  
Sec. 148.

KANSAS DEPARTMENT FOR  
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2022, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (039-00-8100-8240).....\$3,201,142

*Provided*, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2022 from the rehabilitation and repair projects account to a rehabilitation and repair account for any institution, as defined by K.S.A. 76-12a01, and amendments thereto, for projects approved by the secretary for aging and disability services: *Provided further*, That expenditures also may be made from this account during fiscal year 2022 for the purposes of rehabilitation and repair for facilities of the Kansas department for aging and disability services other than any institution, as defined by K.S.A. 76-12a01, and amendments thereto.

Debt service – state hospitals  
rehabilitation and repair (039-00-8100-8325).....\$2,588,200

Video surveillance system (410-00-8100).....\$430,000

Larned state hospital – city of Larned  
wastewater treatment (410-00-8100-8300).....\$129,620

*Provided*, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, expenditures may be made by the above agency from the Larned state hospital – city of Larned wastewater treatment account of the state institutions building fund for payment of Larned state hospital's portion of the city of Larned's wastewater treatment system.

Sec. 149.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Employment security administration property  
sale fund (296-00-3336-3110).....No limit

*Provided*, That the secretary of labor is hereby authorized to make expenditures from

the employment security administration property sale fund during fiscal year 2022 for the unemployment insurance program: *Provided, however;* That no expenditures shall be made from this fund for the proposed purchase or other acquisition of additional real estate to provide space for the unemployment insurance program of the department of labor until such proposed purchase or other acquisition, including the preliminary plans and program statement for any capital improvement project that is proposed to be initiated and completed by or for the department of labor have been reviewed by the joint committee on state building construction.

(b) In addition to the other purposes for which expenditures may be made by the department of labor from moneys appropriated from any special revenue fund or funds for fiscal year 2022 as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2022 from the moneys appropriated from any special revenue fund for the expenses of the sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor: *Provided,* That such expenditures may be made and such sale, exchange or other disposition conveying title for any portion or all of the real estate of the department of labor may be executed or otherwise effectuated only upon specific authorization by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, and acting after receiving the recommendations of the joint committee on state building construction: *Provided, however;* That no such sale, exchange or other disposition conveying title for any portion of the real estate of the department of labor shall be executed until the proposed sale, exchange or other disposition conveying title for such real estate has been reviewed by the joint committee on state building construction: *Provided further;* That the net proceeds from the sale of any of the real estate of the department of labor shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the employment security administration property sale fund of the department of labor: *And provided further;* That expenditures from the employment security administration property sale fund shall not exceed the limitation established for fiscal year 2022 by this or other appropriation act of the 2021 regular session of the legislature except upon approval of the state finance council.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the special employment security fund (296-00-2120) for fiscal year 2022, expenditures may be made by the above agency from the special employment security fund for fiscal year 2022 for the following capital improvement projects: Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided,* That expenditures from the special employment security fund (296-00-2120-2020) for fiscal year 2022 for such capital improvement purposes shall not exceed \$183,749: *Provided further;* That all expenditures from this fund for any such capital improvement purpose shall be in addition to any expenditure limitations imposed on the special employment security fund for fiscal year 2022.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the workmen's compensation fee fund (296-00-2124) for fiscal year 2022, expenditures may be made by the above agency from the workmen's

compensation fee fund for fiscal year 2022 for the following capital improvement projects: (1) Payment of debt service on revenue bonds issued to finance remodeling of the 401 S. Topeka building: *Provided*, That expenditures from the workmen's compensation fee fund (296-00-2124-2227) for fiscal year 2022 for such capital improvement purposes shall not exceed \$98,942; and (2) payment of rehabilitation and repair projects: *Provided*, That expenditures from the workmen's compensation fee fund (296-00-2124-2228) for fiscal year 2022 for such capital improvement purposes shall not exceed \$1,025,000.

Sec. 150.

KANSAS COMMISSION ON  
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, for the capital improvement project or projects specified, the following:

Veterans cemetery program rehabilitation and  
repair projects (694-00-1000-0904).....\$111,900

*Provided*, That any unencumbered balance in the veterans cemetery program rehabilitation and repair projects account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2022, for the capital improvement project or projects specified, the following:

Soldiers' home rehabilitation and  
repair projects (694-00-8100-7100).....\$749,542

Veterans' home rehabilitation and  
repair projects (694-00-8100-8250).....\$1,028,750

Sec. 151.

KANSAS STATE SCHOOL FOR THE BLIND

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2022, for the capital improvement project or projects specified, the following:

Rehabilitation and  
repair projects (604-00-8100-8108).....\$530,930

Security system  
upgrade project (604-00-8100-8130).....\$137,756

Campus boilers and  
HVAC upgrades (604-00-8100-8145).....\$250,330

Sec. 152.

KANSAS STATE SCHOOL FOR THE DEAF

(a) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2022, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (610-00-8100-8108).....	\$480,777
Campus boilers and HVAC upgrades (610-00-8100-8145).....	\$529,200
Campus life safety and security (610-00-8100-8130).....	\$182,595

Sec. 153.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Rehabilitation and repair projects (288-00-1000-8088).....	\$450,000
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*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund (288-00-7302) for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the private gifts, grants and bequests fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projects.....	No limit
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*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the private gifts, grants and bequests fund for fiscal year 2022.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the historical preservation grant in aid fund (288-00-3089) for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the historical preservation grant in aid fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projects.....	No limit
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*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the historical preservation grant in aid fund for fiscal year 2022.

(d) In addition to the other purposes for which expenditures may be made by the above agency from the private gifts, grants and bequests fund, historic properties fee fund, state historical facilities fund, save America's treasures fund, historical society capital improvement fund, law enforcement memorial fund and historical preservation grant in aid fund for fiscal year 2022, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2022 from the unencumbered balance as of June 30, 2021, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2021: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2022 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2022.

Sec. 154.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Memorial union project –
  - debt service 2010J (379-00-5161-5040).....No limit
- Student housing projects –
  - debt service 2017D (379-00-5169-5050).....No limit
- Twin towers housing project –
  - debt service 2017D (379-00-5120-5030).....No limit
- Parking maintenance projects (379-00-5186-5060).....No limit
- Rehabilitation and
  - repair projects (379-00-2526-2040).....No limit
- Rehabilitation and repair projects (379-00-2069-2010).....No limit
- Student housing projects (379-00-5650-5120).....No limit
- Deferred maintenance projects (379-00-2485-2485).....No limit

(b) During the fiscal year ending June 30, 2022, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2021 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1,

2020.

Sec. 155.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Lewis field renovation –  
debt service 2016B (246-00-5150-5180).....No limit
- Memorial union renovation –  
debt service 2016B (246-00-5102-5010).....No limit
- Memorial union addition – debt service (246-00-2510-2040).....No limit
- Memorial union project (246-00-2510-2040).....No limit
- Energy conservation –  
debt service (246-00-2035-2000).....No limit
- Wiest hall replacement –  
debt service 2016B (246-00-5103-5020).....No limit
- Deferred maintenance projects (246-00-2483-2483).....No limit
- Forsyth library renovation (246-00-2510-2040).....No limit
- Lewis field stadium project (246-00-5150-5180).....No limit
- South campus drive project (246-00-2035-2000).....No limit
- Rarick hall renovation (246-00-2035-2000).....No limit
- Student union rehabilitation and  
repair projects (246-00-5102-5010).....No limit
- Rehabilitation and  
repair projects (246-00-2035-2000).....No limit
- Rehabilitation and  
repair projects (246-00-2510-2040).....No limit
- Student housing rehabilitation and  
repair projects (246-00-5103-5020).....No limit
- Parking maintenance projects (246-00-5185-5050).....No limit

(b) During the fiscal year ending June 30, 2022, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2021 regular session of the legislature: *Provided*, That this subsection shall not apply to the

unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2020.

Sec. 156.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Energy conservation projects –
  - debt service 2003J1, 2010U1/2, 2012F/H, 2017B (367-00-2062-2000).....No limit
- Research initiative debt service
  - 2005H, 2012H (367-00-2901-2106).....No limit
- Chiller plant project –
  - debt service 2015B (367-00-2062-2000).....No limit
- Engineering complex project –
  - debt service 2014D1 (367-00-2154-2154).....No limit
- Recreation complex project –
  - debt service 2010G1/2 (367-00-2520-2080).....No limit
- Student union renovation project –
  - debt service 2016A (367-00-2520-2080).....No limit
- Electrical upgrade project –
  - debt service 2017E (367-00-2520-2080).....No limit
- Salina student life center project – debt service
  - 2008D (367-00-5111-5101).....No limit
- Childcare development center project –
  - debt service 2019C (367-00-5125-5101).....No limit
- Jardine housing project –
  - debt service 2019C (367-00-5163-4500).....No limit
- Wefald dining and residence hall project –
  - debt service 2014D (367-00-5163-4500).....No limit
- Union parking –
  - debt service 2016A (367-00-5181-4630).....No limit
- Seaton hall renovation –
  - debt service 2016A (367-00-2520-2080).....No limit
- Chemical landfill – debt service
  - refunding 2019C (367-00-2901-2160).....No limit
- Jardine housing project – debt service

2005A, 2007A (367-00-5163-4500).....	No limit
Derby dining center project – debt service 2019C (367-00-5163-4500).....	No limit
Capital lease – debt service (367-00-2062-2000).....	No limit
Capital lease – debt service (367-00-2520-2080).....	No limit
Rehabilitation and repair projects (367-00-2062-2000).....	No limit
Rehabilitation and repair projects (367-00-2520-2080).....	No limit
Deferred maintenance projects (367-00-2484-2484).....	No limit
Parking maintenance projects (367-00-5181-4638).....	No limit

(b) During the fiscal year ending June 30, 2022, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2021 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2020.

Sec. 157.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS  
AND AGRICULTURE RESEARCH PROGRAMS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Capital lease – debt service (369-00-2697-1100).....	No limit
Capital lease – debt service (369-00-2921-1200).....	No limit

Sec. 158.

KANSAS STATE UNIVERSITY  
VETERINARY MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Capital lease – debt service (368-00-5160-5300).....	No limit
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Sec. 159.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student housing and building renovations – debt service 2014A1 (385-00-5106-5105).....	No limit
Overman student center and student housing – debt service 2014A2 (385-00-2820-2820).....	No limit
Deferred maintenance projects (385-00-2486-2486).....	No limit
Student health center – debt service 2009G (385-00-2828-2851).....	No limit
Overman student center project (385-00-2820-2820).....	No limit
Rehabilitation and repair projects (385-00-2833-2831).....	No limit
Housing maintenance projects (385-00-5645-5160).....	No limit
Parking maintenance projects (385-00-5187-5060).....	No limit
Energy conservation projects – debt service 2011D/D3, 2015M.....	No limit
Student housing project – debt service 2011D1 (385-00-2833-2830).....	No limit
Student housing projects – debt service 2009H1/2, 2014A2, 2011D1/D3, 2014A1, 2020H (385-00-5165-5050).....	No limit
Student housing projects – debt service 2011D1 (385-00-5646-5160).....	No limit
Parking facility – debt service 2009J1/2, 2020H (385-00-5187-5060).....	No limit
Tyler scientific research center – debt service 2015K (385-00-2903-2903).....	No limit

(b) During the fiscal year ending June 30, 2022, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2021 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1,

2020.

Sec. 160.

UNIVERSITY OF KANSAS

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Student housing projects – debt service 2011C, 2014C, 2017A, 2020B (682-00-5142-5050).....	No limit
Engineering facility – debt service 2013G1 (682-00-2545-2080).....	No limit
Engineering facility – debt service 2013G1 (682-00-2153-2153).....	No limit
Student recreation center – debt service 2017A (682-00-2864-2860).....	No limit
Parking facilities – debt service 2014C, 2017A (682-00-5175-5070).....	No limit
McCullum hall parking – debt service 2014C (682-00-5175-5070).....	No limit
Energy conservation projects – debt service 2010B, 2020B (682-00-2107-2000).....	No limit
Energy conservation projects – debt service (682-00-2545-2080).....	No limit
Earth, energy and environment center – debt service 2017A (682-00-2545-2080).....	No limit
Parking maintenance projects (682-00-5175-5070).....	No limit
Student housing maintenance projects (682-00-5621-5110).....	No limit
Rehabilitation and repair projects (682-00-2107-2000).....	No limit
Kansas law enforcement training center projects (682-00-2133-2020).....	No limit
Rehabilitation and repair projects (682-00-2545-2080).....	No limit
Deferred maintenance projects (682-00-2487-2487).....	No limit

(b) During the fiscal year ending June 30, 2022, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to

classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2021 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2020.

Sec. 161.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Health education building –  
debt service 2017A (683-00-2108-2500).....No limit
- Energy conservation –  
debt service 2012D2.2 (683-00-2108-2500).....No limit
- Hemenway research initiative –  
debt service 2012D2.1 (683-00-2907-2800).....No limit
- KUMC research institute –  
debt service 2020B (683-00-2907-2800).....No limit
- Parking garage 3 –  
debt service 2014C (683-00-5176-5550).....No limit
- Parking garage 4 – debt service  
2010K1/2, 2020B (683-00-5176-5550).....No limit
- Parking garage 5 –  
debt service 2016C (683-00-5176-5550).....No limit
- Deferred maintenance projects (683-00-2488-2488).....No limit
- Rehabilitation and  
repair projects (683-00-2108-2500).....No limit
- Rehabilitation and  
repair projects (683-00-2394-2390).....No limit
- Rehabilitation and  
repair projects (683-00-2551-2600).....No limit
- Rehabilitation and  
repair projects (683-00-2907-2800).....No limit
- Parking maintenance projects (683-00-5176-5550).....No limit

(b) During the fiscal year ending June 30, 2022, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act

compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2021 regular session of the legislature: *Provided*, That this subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2020.

Sec. 162.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Energy conservation –  
debt service (715-00-2112-2000).....No limit
- Rhatigan student center –  
debt service 2012A1 (715-00-2558-2030).....No limit
- Engineering research lab – debt  
service 2005D/2003C (715-00-2558-2030).....No limit
- Shocker residence hall –  
debt service 2013F (715-00-5100-5250).....No limit
- Parking garage – debt  
service 2016J (715-00-5148-5000).....No limit
- Fairmont towers – debt  
service 2012A2 (715-00-5620-5670).....No limit
- Innovation campus – school of business  
debt service (715-00-2112-2000).....No limit
- Flats and suites – debt service (715-00-5100-5250).....No limit
- Deferred maintenance projects (715-00-2489-2489).....No limit
- Rehabilitation and  
repair projects (715-00-2908-2080).....No limit
- Parking maintenance projects (715-00-5159-5040).....No limit

(b) During the fiscal year ending June 30, 2022, the above agency may make expenditures from the rehabilitation and repair projects, Americans with disabilities act compliance projects, state fire marshal code compliance projects, and improvements to classroom projects for institutions of higher education account of the Kansas educational building fund of the above agency of moneys transferred to such account by the state board of regents by any provision of this or other appropriation act of the 2021 regular session of the legislature: *Provided*, That this subsection shall not apply to the

unencumbered balance in any account of the Kansas educational building fund of the above agency that was first appropriated for any fiscal year commencing prior to July 1, 2020.

(c) In addition to the other purposes for which expenditures may be made by Wichita state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022, or fiscal year 2023, as authorized by this or other appropriation act of the 2021 or 2022 regular session of the legislature, expenditures may be made by Wichita state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022, or fiscal year 2023 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project for the construction and equipment of a new convergence sciences building on the innovation campus of Wichita state university: *Provided*, That such capital improvement project is hereby approved for Wichita state university for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute: *Provided further*, That Wichita state university may make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project: *Provided, however*, That expenditures from the moneys received from the issuance of any such bonds for such capital improvement project shall not exceed \$15,000,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds: *And provided further*, That all moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants: *And provided further*, That debt service for any such bonds for such capital improvement project shall be financed by appropriations from any appropriate special revenue fund or funds: *And provided further*, That any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas: *And provided further*, That Wichita state university shall make provisions for the maintenance of the building.

Sec. 163.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

State university capital renewal initiative.....\$10,292,230

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Kansas educational building fund.....No limit

*Provided*, That the state board of regents is hereby authorized to transfer moneys from the Kansas educational building fund to an account or accounts of the Kansas educational building fund of any institution under the control and supervision of the state board of regents to be expended by the institution for projects, including planning, new construction and razing, approved by the state board of regents: *Provided, however*; That no expenditures shall be made from any such account until the proposed projects have been reviewed by the joint committee on state building construction: *Provided further*; That the state board of regents shall certify to the director of accounts and reports each such transfer of moneys from the Kansas educational building fund: *And provided further*; That the state board of regents shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

(c) On July 1, 2021, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer \$115,000 from the Kansas educational building fund to the historic properties fee fund of the state historical society.

Sec. 164.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2022, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of  
correctional institutions (521-00-8600-8240).....\$4,592,000

*Provided*, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2022 from the capital improvements – rehabilitation and repair of correctional institutions account of the correctional institutions building fund to an account or accounts of the correctional institutions building fund of any institution or facility under the jurisdiction of the secretary of corrections to be expended during fiscal year 2022 by the institution or facility for capital improvement projects and for security improvement projects including acquisition of security equipment.

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2022, for the capital improvement project or projects specified, the following:

Capital improvements –  
rehabilitation and repair of juvenile  
correctional facilities (521-00-8100-8000)..... \$500,000

*Provided*, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2022 from the capital improvements – rehabilitation and repair account of the state institutions building fund to any account or accounts of the state institutions building fund of any juvenile correctional facility or institution under the general supervision and management of the secretary of corrections to be expended during fiscal year 2022 for capital improvement projects approved by the secretary: *Provided further*; That the secretary of corrections shall certify each such transfer to the

director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research.

Capital improvements – capacity expansion (521-00-8100).....\$6,089,218

*Provided*, That notwithstanding the provisions of K.S.A. 76-6b04 and 76-6b05, or any other statute, in addition to the other purposes for which expenditures may be made by the above agency from the capital improvements – capacity expansion account of the state institutions building fund during fiscal year 2022, expenditures may be made from such account during fiscal year 2022 for capacity expansion capital improvements projects at the Winfield correctional facility and Lansing correctional facility.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Correctional facility  
infrastructure project (521-00-2834).....No limit  
Sec. 165.

ATTORNEY GENERAL –  
KANSAS BUREAU OF INVESTIGATION

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, for the capital improvement project or projects specified, the following:

Rehabilitation and  
repair projects (083-00-1000-0100).....\$100,000

*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

KBI lab – debt service (083-00-1000-0820).....\$4,323,675  
Sec. 166.

KANSAS HIGHWAY PATROL

(a) In addition to the other purposes for which expenditures may be made from the highway patrol training center fund for fiscal year 2022, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair – training  
center – Salina (280-00-2306-2004).....No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the highway patrol training center fund for fiscal year 2022.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund for fiscal year 2022, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation  
and repair (280-00-2213-2401)..... No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the vehicle identification number fee fund for fiscal year 2022.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2022, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Scale replacement and rehabilitation and  
repair of buildings (280-00-2034-1115).....\$324,510

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the Kansas highway patrol operations fund for fiscal year 2022.

(d) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$324,510 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1115). In addition to the other purposes for which expenditures may be made from the state highway fund during fiscal year 2022 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers and expenditures may be made from the state highway fund during fiscal year 2022 for support and maintenance of the Kansas highway patrol.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the KHP federal forfeiture – federal fund for fiscal year 2022, expenditures may be made by the above agency from the following account or accounts of the KHP federal forfeiture – federal fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Training academy rehabilitation  
and repair (280-00-3545-3548).....No limit

Troop F storage building (280-00-3545-3545).....No limit

KHP federal forfeiture – new construction.....No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the KHP federal forfeiture – federal fund for fiscal year 2022.

Sec. 167.

ADJUTANT GENERAL

(a) There is hereby appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, for the capital improvement project or projects specified, the following:

Debt service – rehabilitation and repair of the  
statewide armories (034-00-1000-8010).....\$268,725

Rehabilitation and  
repair projects (034-00-1000-8000).....\$666,431

*Provided*, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

SDB remodel.....\$1,600,000

*Provided*, That all expenditures from the SDB remodel account shall be for the design and construction cost of remodeling the state defense building.

Sec. 168.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

State fair capital  
improvements fund (373-00-2533-2500).....No limit

(b) On or before the 10<sup>th</sup> day of each month during the fiscal year ending June 30, 2022, the director of accounts and reports shall transfer from the state general fund to the state fair capital improvements fund interest earnings based on: (1) The average daily balance of moneys in the state fair capital improvements fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(c) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, for the capital improvement project or projects specified, the following:

State fair debt service (373-00-1000-0700).....\$850,500

Sec. 169.

KANSAS DEPARTMENT OF  
WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2022, the following:

Debt service – Kansas City

district office (710-00-1900-1960).....\$10,603

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Department access road fund (710-00-2178-2760).....No limit

*Provided*, That, in addition to the other purposes for which expenditures may be made by the above agency from the department access road fund, expenditures may be made from this fund for road improvement projects administered by the department of transportation in state parks and on public lands.

Bridge maintenance fund (710-00-2045-2070).....No limit

Office of the secretary building fund.....No limit

(c) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,402,545 from the state highway fund of the department of transportation to the department access road fund of the Kansas department of wildlife and parks.

(d) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund of the department of transportation to the bridge maintenance fund of the Kansas department of wildlife and parks.

(e) In addition to the other purposes for which expenditures may be made by the above agency from the state agricultural production fund for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the state agricultural production fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Agricultural land capital improvement.....No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the state agricultural production fund for fiscal year 2022.

(f) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks rehabilitation and

repair projects (710-00-2122-2066).....\$1,255,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the parks fee fund for fiscal year 2022.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Coast guard boating projects (710-00-2245-2840).....\$75,000

*Provided,* That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating fee fund for fiscal year 2022.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shooting range development (710-00-2300-2301).....\$300,000

Land acquisition (710-00-2300-3040).....\$400,000

Federally mandated  
boating access (710-00-2300-4360).....\$241,750

Rehabilitation and repair (710-00-2300-3262).....\$1,710,000

State fishing lake projects (710-00-2300-4320).....\$45,000

*Provided,* That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife fee fund for fiscal year 2022.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the cabin revenue fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Cabin site preparation (710-00-2668-2660).....\$300,000

*Provided,* That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the cabin revenue fund for fiscal year 2022.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (710-00-3418-3422).....\$1,350,000

*Provided,* That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the wildlife restoration fund for

fiscal year 2022.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the sport fish restoration program fund for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the sport fish restoration program fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (710-00-3490-3491).....\$1,225,250

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the sport fish restoration program fund for fiscal year 2022.

(l) In addition to the other purposes for which expenditures may be made by the above agency from the migratory waterfowl propagation and protection fund for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the migratory waterfowl propagation and protection fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition (710-00-2600-3330).....\$200,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the migratory waterfowl propagation and protection fund for fiscal year 2022.

(m) In addition to the other purposes for which expenditures may be made by the above agency from the outdoor recreation acquisition, development and planning fund for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the outdoor recreation acquisition, development and planning fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Land and water conservation  
development (710-00-3794-3794).....\$700,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitation imposed on the outdoor recreation acquisition, development and planning fund for fiscal year 2022.

(n) In addition to the other purposes for which expenditures may be made by the above agency from the recreational trails program fund for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the recreational trails program fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Recreational trails program (710-00-3238-3238).....\$700,000

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the recreational trails program

fund for fiscal year 2022.

(o) In addition to the other purposes for which expenditures may be made by the above agency from the federally licensed wildlife areas fund for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the federally licensed wildlife areas fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefore:

FLW-AG land capital improvements.....\$42,500

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the federally licensed wildlife areas fund for fiscal year 2022.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the boating safety and financial assistance fund for fiscal year 2022, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating safety and financial assistance fund for fiscal year 2022 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefore:

Coast guard boating projects (710-00-3251-3251).....No limit

*Provided*, That all expenditures from each such capital improvement account shall be in addition to any expenditure limitations imposed on the boating safety and financial assistance fund for fiscal year 2022.

(q) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund, boating fee fund, boating safety and financial assistance fund, wildlife fee fund, wildlife conservation fund, cabin revenue fund, wildlife restoration fund, sport fish restoration program fund, migratory waterfowl propagation and protection fund, nongame wildlife improvement fund, plant and animal disease and pest control fund, land and water conservation fund – local, outdoor recreation acquisition, development and planning fund, recreational trails program fund, federally licensed wildlife areas fund, department of wildlife and parks gifts and donations fund, highway planning/construction fund, state wildlife grants fund, disaster grants – public assistance, nonfederal grants fund, bridge maintenance fund, state agricultural production fund, department access road fund, navigation projects fund, other federal grants fund and recreation resource management fund for fiscal year 2022, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2022 from the unencumbered balance as of June 30, 2021, in each existing capital improvement account of each such special revenue fund: *Provided*, That expenditures from the unencumbered balance of any such existing capital improvement account shall not exceed the amount of the unencumbered balance in such account on June 30, 2021: *Provided further*, That all expenditures from the unencumbered balance of any such account shall be in addition to any expenditure limitation imposed on each such special revenue fund for fiscal year 2022 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2022.

Sec. 170. K.S.A. 2020 Supp. 2-223 is hereby amended to read as follows: 2-223.

(a) There is hereby established in the state treasury the state fair capital improvements fund. All expenditures of moneys in the state fair capital improvements fund shall be used for the payment of capital improvements and maintenance for the state fairgrounds and the payment of capital improvement obligations that have been financed. Capital improvement projects for the Kansas state fairgrounds are hereby approved for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute.

(b) Except as provided further, on each June 30, the state fair board shall certify to the director of accounts and reports an amount to be transferred from the state fair fee fund to the state fair capital improvements fund, which amount shall be not less than the amount equal to 5% of the total gross receipts during the current fiscal year from state fair activities and non-fair days activities, except that. During the fiscal year ending June 30, 2021, no moneys shall be transferred from the state fair fee fund to the state fair capital improvement fund pursuant to this subsection. For the fiscal year ending June 30, ~~2021~~ 2022, notwithstanding the other provisions of this section, on March 1, ~~2021~~ 2022, or as soon thereafter as moneys are available therefor, the director of accounts and reports shall transfer from the state fair fee fund to the state fair capital improvements fund the amount equal to the greater of \$300,000 or the amount equal to 5% of the total gross receipts during fiscal year ~~2021~~ 2022 from state fair activities and non-fair days activities through March 1, ~~2021~~ 2022, except that, subject to approval by the director of the budget prior to March 1, ~~2021~~ 2022, after reviewing the amounts credited to the state fair fee fund and the state fair capital improvements fund, cash flow considerations for the state fair fee fund, and the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2021~~ 2022, the state fair board may certify an amount on March 1, ~~2021~~ 2022, to the director of accounts and reports to be transferred from the state fair fee fund to the state fair capital improvements fund that is equal to the amount required to be credited to the state fair capital improvements fund pursuant to this subsection to pay the bonded debt service payment due on April 1, ~~2021~~ 2022, and shall certify to the director of accounts and reports on the date specified by the director of the budget the amount equal to the balance of the aggregate amount that is required to be transferred from the state fair fee fund to the state fair capital improvements fund for fiscal year ~~2021~~ 2022. Upon receipt of any such certification, the director of accounts and reports shall transfer moneys from the state fair fee fund to the state fair capital improvements fund in accordance with such certification.

Sec. 171. K.S.A. 2020 Supp. 12-1775a is hereby amended to read as follows: 12-1775a. (a) Prior to December 31, 1996, the governing body of each city that, pursuant to K.S.A. 12-1771, and amendments thereto, has established a redevelopment district prior to July 1, 1996, shall certify to the director of accounts and reports the amount equal to the amount of revenue realized from ad valorem taxes imposed pursuant to K.S.A. 72-5142, and amendments thereto, within such redevelopment district. Except as provided further, to February 1, 1997, and annually on that date thereafter, the governing body of each such city shall certify to the director of accounts and reports an amount equal to the amount by which revenues realized from such ad valorem taxes imposed in such redevelopment district are estimated to be reduced for the ensuing calendar year due to legislative changes in the statewide school finance formula. Prior to March 1 of each

year, the director of accounts and reports shall certify to the state treasurer each amount certified by the governing bodies of cities under this section for the ensuing calendar year and shall transfer from the state general fund to the city tax increment financing revenue replacement fund the aggregate of all amounts so certified. Prior to April 15 of each year, the state treasurer shall pay from the city tax increment financing revenue replacement fund to each city certifying an amount to the director of accounts and reports under this section for the ensuing calendar year the amount so certified. During fiscal years ~~2020, 2021 and~~ 2022 and 2023, no moneys shall be transferred from the state general fund to the city tax increment financing revenue replacement fund pursuant to this subsection.

(b) There is hereby created the tax increment financing revenue replacement fund, which shall be administered by the state treasurer. All expenditures from the tax increment financing revenue replacement fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state treasurer or a person or persons designated by the state treasurer.

Sec. 172. K.S.A. 2020 Supp. 12-5256 is hereby amended to read as follows: 12-5256. (a) All expenditures from the state housing trust fund made for the purposes of K.S.A. 2020 Supp. 12-5253 through 12-5255, and amendments thereto, shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the president of the Kansas housing resources corporation.

(b) (1) On ~~July 1, 2019,~~ July 1, 2020, ~~and~~ July 1, 2021, and July 1, 2022, the director of accounts and reports shall transfer \$2,000,000 from the state economic development initiatives fund to the state housing trust fund established by K.S.A. 74-8959, and amendments thereto.

(2) Notwithstanding the provisions of K.S.A. 74-8959, and amendments thereto, to the contrary, during ~~fiscal year 2020,~~ fiscal year 2021 ~~and~~, fiscal year 2022 and fiscal year 2023, moneys in the state housing trust fund shall be used solely for the purpose of loans or grants to cities or counties for infrastructure or housing development in rural areas. During such fiscal years, on or before ~~January 11, 2021,~~ January 10, 2022, ~~and~~ January 9, 2023, and January 8, 2024, the president of the Kansas housing resources corporation shall submit a report concerning the activities of the state housing trust fund to the house of representatives committee on appropriations and the senate committee on ways and means.

Sec. 173. K.S.A. 2020 Supp. 55-193 is hereby amended to read as follows: 55-193. On July 15, 1996, and on the 15<sup>th</sup> day of each calendar quarter thereafter before July 1, 2022 2023, the director of accounts and reports shall transfer \$100,000 from the state general fund and \$200,000 from the conservation fee fund established by K.S.A. 55-143, and amendments thereto, to the abandoned oil and gas well fund established by K.S.A. 55-192, and amendments thereto, except that no transfer shall be made pursuant to this section from the state general fund to the abandoned oil and gas well fund during ~~state fiscal year 2020,~~ state fiscal year 2021, ~~or~~ state fiscal year 2022 or state fiscal year 2023.

Sec. 174. K.S.A. 2020 Supp. 65-180 is hereby amended to read as follows: 65-180. The secretary of health and environment shall:

(a) Institute and carry on an intensive educational program among physicians,

hospitals, public health nurses and the public concerning congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases detectable with the same specimen. This educational program shall include information about the nature of such conditions and examinations for the detection thereof in early infancy in order that measures may be taken to prevent intellectual disability or morbidity resulting from such conditions.

(b) Provide recognized screening tests for phenylketonuria, galactosemia, hypothyroidism and such other diseases as may be appropriately detected with the same specimen. The initial laboratory screening tests for these diseases shall be performed by the department of health and environment or its designee for all infants born in the state. Such services shall be performed without charge.

(c) Provide a follow-up program by providing test results and other information to identified physicians; locate infants with abnormal newborn screening test results; with parental consent, monitor infants to assure appropriate testing to either confirm or not confirm the disease suggested by the screening test results; with parental consent, monitor therapy and treatment for infants with confirmed diagnosis of congenital hypothyroidism, galactosemia, phenylketonuria or other genetic diseases being screened under this statute; and establish ongoing education and support activities for individuals with confirmed diagnosis of congenital hypothyroidism, galactosemia, phenylketonuria and other genetic diseases being screened under this statute and for the families of such individuals.

(d) Maintain a registry of cases including information of importance for the purpose of follow-up services to prevent intellectual disability or morbidity.

(e) Provide, within the limits of appropriations available therefor, the necessary treatment product for diagnosed cases for as long as medically indicated, when the product is not available through other state agencies. In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual meets medicaid eligibility, such individuals' needs shall be covered under the medicaid state plan. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual is not medicaid eligible, but is below 300% of the federal poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment shall provide reimbursement of between 50% to 100% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment. Where the applicable income of the person or persons who have legal responsibility for the diagnosed individual exceeds 300% of the federal poverty level established under the most recent poverty guidelines issued by the United States department of health and human services, the department of health and environment shall provide reimbursement of an amount not to exceed 50% of the product cost in accordance with rules and regulations adopted by the secretary of health and environment.

(f) Provide state assistance to an applicant pursuant to subsection (e) only after it has been shown that the applicant has exhausted all benefits from private third-party payers, medicare, medicaid and other government assistance programs and after consideration of the applicant's income and assets. The secretary of health and

environment shall adopt rules and regulations establishing standards for determining eligibility for state assistance under this section.

(g) (1) Except for treatment products provided under subsection (e), if the medically necessary food treatment product for diagnosed cases must be purchased, the purchaser shall be reimbursed by the department of health and environment for costs incurred up to \$1,500 per year per diagnosed child age 18 or younger at 100% of the product cost upon submission of a receipt of purchase identifying the company from which the product was purchased. For a purchaser to be eligible for reimbursement under this subsection, the applicable income of the person or persons who have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(2) As an option to reimbursement authorized under subsection (g)(1), the department of health and environment may purchase food treatment products for distribution to diagnosed children in an amount not to exceed \$1,500 per year per diagnosed child age 18 or younger. For a diagnosed child to be eligible for the distribution of food treatment products under this subsection, the applicable income of the person or persons who have legal responsibility for the diagnosed child shall not exceed 300% of the poverty level established under the most recent poverty guidelines issued by the federal department of health and human services.

(3) In addition to diagnosed cases under this section, diagnosed cases of maple syrup urine disease shall be included as a diagnosed case under this subsection.

(h) The department of health and environment shall continue to receive orders for both necessary treatment products and necessary food treatment products, purchase such products, and shall deliver the products to an address prescribed by the diagnosed individual. The department of health and environment shall bill the person or persons who have legal responsibility for the diagnosed patient for a pro-rata share of the total costs, in accordance with the rules and regulations adopted pursuant to this section.

(i) The secretary of health and environment shall adopt rules and regulations as needed to require, to the extent of available funding, newborn screening tests to screen for treatable disorders listed in the core uniform panel of newborn screening conditions recommended in the 2005 report by the American college of medical genetics entitled "Newborn Screening: Toward a Uniform Screening Panel and System" or another report determined by the department of health and environment to provide more appropriate newborn screening guidelines to protect the health and welfare of newborns for treatable disorders.

(j) In performing the duties under subsection (i), the secretary of health and environment shall appoint an advisory council to advise the department of health and environment on implementation of subsection (i).

(k) The department of health and environment shall periodically review the newborn screening program to determine the efficacy and cost effectiveness of the program and determine whether adjustments to the program are necessary to protect the health and welfare of newborns and to maximize the number of newborn screenings that may be conducted with the funding available for the screening program.

(l) There is hereby established in the state treasury the Kansas newborn screening fund that shall be administered by the secretary of health and environment. All expenditures from the fund shall be for the newborn screening program. All

expenditures from the 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 secretary of health and environment or the secretary's designee. On July 1 of each year, the director of accounts and reports shall determine the amount credited to the medical assistance fee fund pursuant to K.S.A. 40-3213, and amendments thereto, and shall transfer the estimated portion of such amount that is necessary to fund the newborn screening program for the ensuing fiscal year as certified by the secretary of health and environment or the secretary's designee to the Kansas newborn screening fund. Such amount shall not exceed \$2,500,000 in any one fiscal year, except that such amount shall not exceed \$5,000,000 in fiscal-year ~~years~~ 2021 and 2022.

Sec. 175. K.S.A. 2020 Supp. 72-5462 is hereby amended to read as follows: 72-5462. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) In each school year, each school district which is obligated to make payments from its capital improvements fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection.

(1) For general obligation bonds approved for issuance at an election held prior to July 1, 2015, the state board of education shall:

(A) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state for the preceding school year and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(1);

(B) determine the median AVPP of all school districts;

(C) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(D) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 72-5463, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(E) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held prior to July 1, 2015; and

(F) multiply the amount determined under subsection (b)(1)(E) by the applicable

state aid percentage factor.

(2) For general obligation bonds approved for issuance at an election held on or after July 1, 2015, the state board of education shall:

(A) Determine the amount of the AVPP of each school district in the state for the preceding school year and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(2);

(B) prepare a schedule of dollar amounts using the amount of the AVPP of the school district with the lowest AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts;

(C) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the lowest AVPP shown on the schedule and decreasing the state aid computation percentage assigned to the amount of the lowest AVPP by one percentage point for each \$1,000 interval above the amount of the lowest AVPP. Except as provided by K.S.A. 72-5463, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid computation percentage is 75%;

(D) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held on or after July 1, 2015; and

(E) multiply the amount determined under subsection (b)(2)(D) by the applicable state aid percentage factor.

(3) For general obligation bonds approved for issuance at an election held on or before June 30, 2016, the sum of the amount determined under subsection (b)(1)(F) and the amount determined under subsection (b)(2)(E) is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(4) For general obligation bonds approved for issuance at an election held on or after July 1, 2016, the amount determined under subsection (b)(2)(E) is the amount of payment the school district shall receive from the school district capital improvements fund in the school year, except the total amount of payments school districts receive from the school district capital improvements fund in the school year for such bonds shall not exceed the six-year average amount of capital improvement state aid as determined by the state board of education.

(A) The state board of education shall determine the six-year average amount of capital improvement state aid by calculating the average of the total amount of moneys expended per year from the school district capital improvements fund in the immediately preceding six fiscal years, not to include the current fiscal year.

(B) (i) Subject to clause (ii), the state board of education shall prioritize the allocations to school districts from the school district capital improvements fund in accordance with the priorities set forth as follows in order of highest priority to lowest priority:

(a) Safety of the current facility and disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation;

(b) enrollment growth and imminent overcrowding as demonstrated by successive increases in enrollment of the school district in the immediately preceding three school years;

(c) impact on the delivery of educational services as demonstrated by restrictive inflexible design or limitations on installation of technology; and

(d) energy usage and other operational inefficiencies as demonstrated by a district-wide energy usage analysis, district-wide architectural analysis or other similar evaluation.

(ii) In allocating capital improvement state aid, the state board shall give higher priority to those school districts with a lower AVPP compared to the other school districts that are to receive capital improvement state aid under this section.

(C) On and after July 1, 2016, the state board of education shall approve the amount of state aid payments a school district shall receive from the school district capital improvements fund pursuant to subsection (b)(5) prior to an election to approve the issuance of general obligation bonds.

(5) Except as provided in subsections (b)(6) and (b)(7), the sum of the amounts determined under subsection (b)(3) and the amount determined or allocated to the district by the state board of education pursuant to subsection (b)(4), is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(6) A school district that had an enrollment of less than 260 students in the school year immediately preceding the school year in which an election is held to approve the issuance of general obligation bonds shall not be entitled to receive payments from the school district capital improvements fund unless such school district applied for and received approval from the state board of education to issue such bonds prior to holding an election to approve such bond issuance. The provisions of this paragraph shall apply to general obligation bonds approved for issuance at an election held on or after July 1, 2017, that are issued for the purpose of financing the construction of new school facilities.

(7) For general obligation bonds approved for issuance at an election held on or after July 1, 2017, in determining the amount under subsection (b)(2)(D), the state board shall exclude payments for any capital improvement project, or portion thereof, that proposes to construct, reconstruct or remodel a facility that would be used primarily for extracurricular activities, unless the construction, reconstruction or remodeling of such facility is necessary due to concerns relating to the safety of the current facility or disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending ~~June 30, 2020~~, June 30, 2021, ~~and June 30, 2022~~, and June 30, 2023, shall be considered to be revenue transfers from the state general fund.

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

(f) On or before the first day of the legislative session in 2017, and each year thereafter, the state board of education shall prepare and submit a report to the legislature that includes information on school district elections held on or after July 1, 2016, to approve the issuance of general obligation bonds and the amount of payments school districts were approved to receive from the school district capital improvements fund pursuant to subsection (b)(4)(C).

Sec. 176. K.S.A. 2020 Supp. 74-50,107 is hereby amended to read as follows: 74-50,107. (a) Commencing on July 1, ~~2019~~ 2020, and on the first day of each month thereafter during ~~fiscal year 2020~~, fiscal year 2021 ~~and~~, fiscal year 2022 and fiscal year 2023, the secretary of revenue shall apply a rate of 2% to that portion of moneys withheld from the wages of individuals and collected under the Kansas withholding and declaration of estimated tax act, K.S.A. 79-3294 et seq., and amendments thereto. The amount so determined shall be credited on a monthly basis as follows: (1) An amount necessary to meet obligations of the debt services for the IMPACT program repayment fund; and (2) an amount to the IMPACT program services fund as needed for program administration; and (3) any remaining amounts to the job creation program fund created pursuant to K.S.A. 74-50,224, and amendments thereto. During ~~fiscal year 2020~~, fiscal year 2021 ~~and~~, fiscal year 2022 and fiscal year 2023, the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed \$3,500,000 for each such fiscal year.

(b) Commencing on July 1, ~~2022~~ 2023, and on an annual basis thereafter, the secretary of revenue shall estimate the amount equal to the amount of net savings realized from the elimination, modification or limitation of any credit, deduction or program pursuant to the provisions of this act as compared to the expense deduction provided for in K.S.A. 79-32,143a, and amendments thereto. Whereupon such amount of savings in accordance with appropriation acts 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 to the credit of the job creation program fund created pursuant to K.S.A. 74-50,224, and amendments thereto. In addition, such other amount or amounts of money may be transferred from the state general fund or any other fund or funds in the state treasury to the job creation program fund in accordance with appropriation acts.

Sec. 177. K.S.A. 2020 Supp. 74-99b34 is hereby amended to read as follows: 74-99b34. (a) The bioscience development and investment fund is hereby created. The

bioscience development and investment fund shall not be a part of the state treasury and the funds in the bioscience development and investment fund shall belong exclusively to the authority.

(b) Distributions from the bioscience development and investment fund shall be for the exclusive benefit of the authority, under the control of the board and used to fulfill the purpose, powers and duties of the authority pursuant to the provisions of K.S.A. 74-99b01 et seq., and amendments thereto.

(c) The secretary of revenue and the authority shall establish the base year taxation for all bioscience companies and state universities. The secretary of revenue, the authority and the board of regents shall establish the number of bioscience employees associated with state universities and report annually and determine the increase from the taxation base annually. The secretary of revenue and the authority may consider any verifiable evidence, including, but not limited to, the NAICS code assigned or recorded by the department of labor for companies with employees in Kansas, when determining which companies should be classified as bioscience companies.

(d) (1) Except as provided in subsection (h), for a period of 15 years from the effective date of this act, the state treasurer shall pay annually 95% of withholding above the base, as certified by the secretary of revenue, upon Kansas wages paid by bioscience employees to the bioscience development and investment fund. Such payments shall be reconciled annually. On or before the 10<sup>th</sup> day of each month, the director of accounts and reports shall transfer from the state general fund to the bioscience development and investment fund interest earnings based on:

(A) The average daily balance of moneys in the bioscience development and investment fund for the preceding month; and

(B) the net earnings rate of the pooled money investment portfolio for the preceding month.

(2) There is hereby established in the state treasury the center of innovation for biomaterials in orthopaedic research – Wichita state university fund, which shall be administered by Wichita state university. All moneys credited to the fund shall be used for research and development. All expenditures from the center of innovation for biomaterials in orthopaedic research – Wichita state university fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the president of Wichita state university or by the person or persons designated by the president of Wichita state university.

(3) There is hereby established in the state treasury the national bio agro-defense facility fund, which shall be administered by Kansas state university in accordance with the strategic plan adopted by the governor's national bio agro-defense facility steering committee. All moneys credited to the fund shall be used in accordance with the governor's national bio agro-defense facility steering committee's plan with the approval of the president of Kansas state university. All expenditures from the national bio agro-defense facility fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to expenditures approved by the steering committee and the president of Kansas state university or by the person or persons designated by the president of Kansas state university.

(e) The cumulative amounts of funds paid by the state treasurer to the bioscience development and investment fund shall not exceed \$581,800,000.

(f) The division of post audit is hereby authorized to conduct a post audit in accordance with the provisions of the legislative post audit act, K.S.A. 46-1106 et seq., and amendments thereto.

(g) At the direction of the authority, the fund may be held in the custody of and invested by the state treasurer, provided that the bioscience development and investment fund shall at all times be accounted for in a separate report from all other funds of the authority and the state.

(h) During fiscal years ~~2020, 2021 and~~ 2022 and 2023, no moneys shall be transferred from the state general fund to the bioscience development and investment fund pursuant to subsection (d)(1).

Sec. 178. K.S.A. 2020 Supp. 75-2263 is hereby amended to read as follows: 75-2263. (a) Subject to the provisions of subsection (j), the board of trustees is responsible for the management and investment of that portion of state moneys available for investment by the pooled money investment board that is certified by the state treasurer to the board of trustees as being equivalent to the aggregate net amount received for unclaimed property and shall discharge the board's duties with respect to such moneys solely in the interests of the state general fund and shall invest and reinvest such moneys and acquire, retain, manage, including the exercise of any voting rights and disposal of investments of such moneys within the limitations and according to the powers, duties and purposes as prescribed by this section.

(b) Moneys specified in subsection (a) shall be invested and reinvested to achieve the investment objective, which is preservation of such moneys and accordingly providing that the moneys are as productive as possible, subject to the standards set forth in this section. No such moneys shall be invested or reinvested if the sole or primary investment objective is for economic development or social purposes or objectives.

(c) In investing and reinvesting moneys specified in subsection (a) and in acquiring, retaining, managing and disposing of investments of the moneys, the board of trustees shall exercise the judgment, care, skill, prudence and diligence under the circumstances then prevailing, which persons of prudence, discretion and intelligence acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims by diversifying the investments of the moneys so as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so, and not in regard to speculation but in regard to the permanent disposition of similar moneys, considering the probable income as well as the probable safety of their capital.

(d) In the discharge of such management and investment responsibilities the board of trustees may contract for the services of one or more professional investment advisors or other consultants in the management and investment of such moneys and otherwise in the performance of the duties of the board of trustees under this section.

(e) The board of trustees shall require that each person contracted with under subsection (d) to provide services shall obtain commercial insurance that provides for errors and omissions coverage for such person in an amount to be specified by the board of trustees. The amount of such coverage specified by the board of trustees shall be at least the greater of \$500,000 or 1% of the funds entrusted to such person up to a maximum of \$10,000,000. The board of trustees shall require a person contracted with under subsection (d) to provide services to give a fidelity bond in a penal sum as may be

fixed by law or, if not so fixed, as may be fixed by the board of trustees, with corporate surety authorized to do business in this state. Such persons contracted with the board of trustees pursuant to subsection (d) and any persons contracted with such persons to perform the functions specified in subsection (b) shall be deemed to be fiduciary agents of the board of trustees in the performance of contractual obligations.

(f) (1) Subject to the objective set forth in subsection (b) and the standards set forth in subsection (c), the board of trustees shall formulate and adopt policies and objectives for the investment and reinvestment of such moneys and the acquisition, retention, management and disposition of investments of the moneys. Such policies and objectives shall be in writing and shall include:

(A) Specific asset allocation standards and objectives;

(B) establishment of criteria for evaluating the risk versus the potential return on a particular investment; and

(C) a requirement that all investment advisors, and any managers or others with similar duties and responsibilities as investment advisors, shall immediately report all instances of default on investments to the board of trustees and provide such board of trustees with recommendations and options, including, but not limited to, curing the default or withdrawal from the investment.

(2) The board of trustees shall review such policies and objectives, make changes considered necessary or desirable and readopt such policies and objectives on an annual basis.

(g) Except as provided in subsection (d) and this subsection, the custody of such moneys shall remain in the custody of the state treasurer, except that the board of trustees may arrange for the custody of such moneys as it considers advisable with one or more member banks or trust companies of the federal reserve system or with one or more banks in the state of Kansas, or both, to be held in safekeeping by the banks or trust companies for the collection of the principal and interest or other income or of the proceeds of sale. All such moneys shall be considered moneys in the state treasury for purposes of K.S.A. 75-6704, and amendments thereto.

(h) All interest or other income of the investments of the moneys invested under this section, after payment of any management fees, shall be deposited in the state treasury to the credit of the state general fund.

(i) The state treasurer shall certify to the board of trustees a portion of state moneys available for investment by the pooled money investment board that is equivalent to the aggregate net amount received for unclaimed property. The state treasurer shall transfer the amount certified to the board of trustees. During fiscal years ~~2020, 2021 and~~ 2022 and 2023, the state treasurer shall not certify or transfer any state moneys available for investment pursuant to this subsection.

(j) As used in this section:

(1) "Board of trustees" means the board of trustees of the Kansas public employees retirement system established by K.S.A. 74-4905, and amendments thereto.

(2) "Fiduciary" means a person who, with respect to the moneys invested under this section:

(A) Exercises any discretionary authority with respect to administration of the moneys;

(B) exercises any authority to invest or manage such moneys or has any authority or responsibility to do so;

(C) provides investment advice for a fee or other direct or indirect compensation with respect to such moneys or has any authority or responsibility to do so;

(D) provides actuarial, accounting, auditing, consulting, legal or other professional services for a fee or other direct or indirect compensation with respect to such moneys or has any authority or responsibility to do so; or

(E) is a member of the board of trustees or of the staff of the board of trustees.

Sec. 179. K.S.A. 75-4209 is hereby amended to read as follows: 75-4209. (a) The director of investments may invest and reinvest state moneys eligible for investment which are not invested in accordance with K.S.A. 75-4237, and amendments thereto, in the following investments:

(1) Direct obligations of, or obligations that are insured as to principal and interest by, the United States of America or any agency thereof and obligations and securities of the United States sponsored enterprises which under federal law may be accepted as security for public funds, on and after the effective date of this act moneys available for investment under this subsection shall not be invested in mortgage-backed securities of such enterprises and of the government national mortgage association, except that any such mortgage-backed securities held prior to the effective date of this act may be held to maturity;

(2) repurchase agreements with a bank or a primary government securities dealer which reports to the market reports division of the federal reserve bank of New York for direct obligations of, or obligations that are insured as to principal and interest by, the United States government or any agency thereof and obligations and securities of United States government sponsored enterprises which under federal law may be accepted as security for public funds;

(3) commercial paper that does not exceed 270 days to maturity and which has received one of the two highest commercial paper credit ratings by a nationally recognized investment rating firm; and

(4) corporate bonds which have received one of the two highest ratings by a nationally recognized investment rating firm.

(b) When moneys are available for deposit or investments, the director of investments may invest in SKILL act projects and bonds pursuant to K.S.A. 74-8920, and amendments thereto, and in state agency bonds and bond projects.

(c) When moneys are available for deposits or investments, the director of investments may invest in preferred stock of Kansas venture capital, inc., under terms and conditions prescribed by K.S.A. 74-8203, and amendments thereto, but such investments shall not in the aggregate exceed a total amount of \$10,000,000.

(d) When moneys are available for deposits or investments, the director of investments may invest in loans pursuant to legislative mandates, except that not more than the greater of 10% or \$140,000,000 of the state moneys shall be invested. The provisions of this subsection shall not apply to the provisions of subsection (m).

(e) Interest on investment accounts in banks is to be paid at maturity, but not less than annually.

(f) Investments made by the director of investments under the provisions of this section shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

(g) Investments under subsection (a) or (b) or under K.S.A. 75-4237, and amendments thereto, shall be for a period not to exceed four years, except that linked deposits authorized under the provisions of K.S.A. 2-3703 through 2-3707, and amendments thereto, shall not exceed a period of 10 years; agricultural production loan deposits authorized under the provisions of K.S.A. 75-4268 through 75-4274, and amendments thereto, shall not exceed a period of eight years and housing loan deposits authorized under K.S.A. 75-4276 through 75-4282, and amendments thereto, shall not exceed a period of five years or 20 years, as applicable pursuant to K.S.A. 75-4279, and amendments thereto.

(h) Investments in securities under subsection (a)(1) shall be limited to securities which do not have any more interest rate risk than do direct United States government obligations of similar maturities. For purposes of this subsection, "interest rate risk" means market value changes due to changes in current interest rates.

(i) The director of investments shall not invest state moneys eligible for investment under subsection (a), in the municipal investment pool fund, created under K.S.A. 12-1677a, and amendments thereto.

(j) The director of investments shall not invest moneys in the pooled money investment portfolio in derivatives. As used in this subsection, "derivatives" means a financial contract whose value depends on the value of an underlying asset or index of asset values.

(k) Moneys and investments in the pooled money investment portfolio shall be invested and reinvested by the director of investments in accordance with investment policies developed, approved, published and updated on an annual basis by the board. Such investment policies shall include at a minimum guidelines which identify credit standards, eligible instruments, allowable maturity ranges, methods for valuing the portfolio, calculating earnings and yields and limits on portfolio concentration for each type of investment. Any changes in such investment policies shall be approved by the pooled money investment board. Such investment policies may specify the contents of reports, methods of crediting funds and accounts and other operating procedures.

(l) The board shall adopt rules and regulations to establish an overall percentage limitation on the investment of moneys in investments authorized under subsection (a) (3), and within such authorized investment, the board shall establish a percentage limitation on the investment in any single business entity.

(m) (1) During the fiscal year ending June 30, 2017, the director of the budget shall estimate on or before June 27, 2017, the amount of the unencumbered ending balance in the state general fund for fiscal year 2017. If the amount of such unencumbered ending balance in the state general fund is less than \$50,000,000, the director of the budget shall certify the difference between \$50,000,000, and the amount of such unencumbered ending balance to the pooled money investment board. Upon the liquidation of all investments and reinvestments of state moneys pursuant to K.S.A. 75-2263(j), and amendments thereto, and upon receipt of such certification by the director of the budget, during the fiscal year ending June 30, 2017, the pooled money investment board shall authorize the director of accounts and reports to transfer an amount equal to the amount certified by the director of the budget pursuant to this subsection from the pooled money investment portfolio to the state general fund. Upon receipt of such authorization, the director of accounts and reports shall make such transfer. The chairperson of the pooled money investment board shall transmit a copy of such

authorization to the director of legislative research and the director of the budget.

(2) (A) On or before June 30, 2019, the director of accounts and reports shall transfer an amount equal to  $\frac{1}{6}$  of the amount transferred pursuant to subsection (m)(1) from the state general fund to the pooled money investment portfolio.

(B) On or before June 30, 2020, ~~and June 30, 2021~~, the director of accounts and reports shall transfer an amount equal to  $\frac{1}{2}$  of the amount transferred pursuant to subsection (m)(1), reduced by the amount transferred pursuant to subsection (m)(2)(A) from the state general fund to the pooled money investment portfolio.

(C) ~~Any transfer made pursuant to this subsection shall be reduced by the amount of moneys credited to any fiscal year payment pursuant to K.S.A. 75-6707, and amendments thereto.~~ On or before June 30, 2021, and June 30, 2022, during each such fiscal year, the director of accounts and reports shall transfer an amount equal to  $\frac{1}{2}$  of the amount transferred pursuant to subsection (m)(1), reduced by the amount transferred pursuant to subsection (m)(2)(A) and (m)(2)(B) from the state general fund to the pooled money investment portfolio.

(3) During the fiscal year ending June 30, 2018, after any transfer made pursuant to subsection (m)(1), the pooled money investment board shall authorize the director of accounts and reports to transfer the remaining amount of all investments and reinvestments of state moneys liquidated pursuant to K.S.A. 75-2263(j), and amendments thereto, from the pooled money investment portfolio to the state general fund. Upon receipt of such authorization, the director of accounts and reports shall make such transfer. The chairperson of the pooled money investment board shall transmit a copy of such authorization to the director of legislative research and the director of the budget.

(4) (A) On or before June 30, 2019, the director of accounts and reports shall transfer an amount equal to  $\frac{1}{6}$  of the amount transferred pursuant to subsection (m)(3) from the state general fund to the pooled money investment portfolio.

(B) On or before June 30, 2020, ~~and June 30, 2021~~, the director of accounts and reports shall transfer an amount equal to  $\frac{1}{2}$  of the amount transferred pursuant to subsection (m)(3), reduced by the amount transferred pursuant to subsection (m)(4)(A) from the state general fund to the pooled money investment portfolio.

(C) ~~Any transfer made pursuant to this subsection shall be reduced by the amount of moneys credited to any fiscal year payment pursuant to K.S.A. 75-6707, and amendments thereto.~~ On or before June 30, 2021, and June 30, 2022, during each such fiscal year, the director of accounts and reports shall transfer an amount equal to  $\frac{1}{2}$  of the amount transferred pursuant to subsection (m)(3), reduced by the amount transferred pursuant to subsection (m)(4)(A) and (m)(4)(B) from the state general fund to the pooled money investment portfolio.

Sec. 180. K.S.A. 75-6702 is hereby amended to read as follows: 75-6702. (a) The last appropriation bill passed in any regular session of the legislature shall be the omnibus reconciliation spending limit bill. Each bill ~~which~~ that is passed during a regular session of the legislature and ~~which~~ that appropriates or transfers money from the state general fund for the ensuing fiscal year shall contain a provision that such bill shall take effect and be in force from and after the effective date of the omnibus reconciliation spending limit bill for that regular session of the legislature or from and after such effective date and a subsequent date or an event occurring after such effective date.

(b) Except as provided in subsection (c), the maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the 2004 regular session of the legislature and each regular session of the legislature thereafter, is hereby fixed so that there will be an ending balance in the state general fund for the ensuing fiscal year that is equal to 7.5% or more of the total amount authorized to be expended or transferred by demand transfer from the state general fund in such fiscal year.

(c) The provisions of subsection (b) are hereby suspended for the fiscal year ending June 30, ~~2019~~ 2021, and the fiscal year ending June 30, ~~2020~~ 2022, and shall not prescribe a maximum amount of expenditures and demand transfers from the state general fund that may be authorized by act of the legislature during the ~~2018 or 2019~~ 2021 or 2022 regular session of the legislature.

Sec. 181. K.S.A. 75-6706 is hereby amended to read as follows: 75-6706. (a) On July 1, 2017, the budget stabilization fund is hereby established in the state treasury.

(b) On or before the 10<sup>th</sup> day of each month commencing July 1, 2017, the director of accounts and reports shall transfer from the state general fund to the budget stabilization fund interest earnings based on:

- (1) The average daily balance of moneys in the budget stabilization fund, for the preceding month; and
- (2) The net earnings rate of the pooled money investment portfolio for the preceding month.

(c) On and after July 1, 2017, no moneys in the budget stabilization fund shall be expended pursuant to this subsection unless the expenditure either has been approved by an appropriation or other act of the legislature or has been approved by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c), and amendments thereto.

(d) (1) The legislative budget committee shall study and review the policy concerning the balance of, transfers to and expenditures from the budget stabilization fund. The legislative budget committee study and review shall include, but not be limited to, the following:

- (A) Risk-based budget stabilization fund practices utilized in other states.
- (B) The appropriate number of years to review the state general fund:
  - (i) Revenue variances from projections; and
  - (ii) expenditure variances from budgets.
- (C) The entity to certify the amount necessary in the budget stabilization fund to maintain the appropriate risk-based balance.
- (D) Plan to fund the budget stabilization fund.
- (E) Process and circumstances to reach the appropriate risk-based balance, including the amount of risk that is acceptable.

(F) Circumstances under which expenditures may be made from the fund.

(2) The legislative budget committee may make recommendations and introduce legislation as it deems necessary to implement such recommendations.

~~(c) On or before August 15, 2021, the director of the budget, in consultation with the director of legislative research, shall certify the amount of the unencumbered ending balance in the state general fund for fiscal year 2021. Such ending balance shall not include the transfers made pursuant to K.S.A. 75-6707, and amendments thereto. Upon~~

~~making such certification, the director of the budget shall authorize the director of accounts and reports to transfer 10% of such ending balance from the state general fund to the budget stabilization fund. On July 1, 2021, the director of accounts and reports shall transfer all moneys in the budget stabilization fund to the state general fund.~~

Sec. 182. K.S.A. 2020 Supp. 75-6707 is hereby amended to read as follows: 75-6707. (a) For the fiscal years ending ~~June 30, 2020, June 30, 2021, and June 30, 2022, and June 30, 2023,~~ the director of the budget, in consultation with the director of legislative research, shall certify, at the end of each such fiscal year, the amount of actual tax receipt revenues to the state general fund that is in excess of, or is less than, the amount of estimated tax receipt revenues to the state general fund pursuant to the most recent joint estimate of revenue under K.S.A. 75-6701, and amendments thereto, for such fiscal year, and shall transmit such certification to the director of accounts and reports.

(b) Upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer 50% of such certified excess amount from the state general fund for the fiscal years ending ~~June 30, 2020, June 30, 2021, and June 30, 2022, and June 30, 2023,~~ to the budget stabilization fund established by K.S.A. 75-6706, and amendments thereto.

(c) If the amount of actual tax receipt revenues to the state general fund is less than the amount of estimated tax receipt revenues to the state general fund, then no transfers shall be made pursuant to this section.

Sec. 183. K.S.A. 2020 Supp. 76-775 is hereby amended to read as follows: 76-775.

(a) Subject to the other provisions of this act, on the first day of the first state fiscal year commencing after receiving a certification of receipt of a qualifying gift under K.S.A. 76-774, and amendments thereto, the director of accounts and reports shall transfer from the state general fund the amount determined by the director of accounts and reports to be the earnings equivalent award for such qualifying gift for the period of time between the date of certification of the qualifying gift and the first day of the ensuing state fiscal year to either: (1) The endowed professorship account of the faculty of distinction matching fund of the eligible educational institution, in the case of a certification of a qualifying gift to an eligible educational institution that is a state educational institution; or (2) the faculty of distinction program fund of the state board of regents, in the case of a certification of a qualifying gift to an eligible institution that is not a state educational institution. Subject to the other provisions of this act, on each July 1 thereafter, the director of accounts and reports shall make such transfer from the state general fund of the earnings equivalent award for such qualifying gift for the period of the preceding state fiscal year. All transfers made in accordance with the provisions of this subsection shall be considered demand transfers from the state general fund, except that all such transfers during the fiscal years ending ~~June 30, 2020, June 30, 2021, and June 30, 2022, and June 30, 2023,~~ shall be considered to be revenue transfers from the state general fund.

(b) There is hereby established in the state treasury the faculty of distinction program fund, which shall be administered by the state board of regents. All moneys transferred under this section to the faculty of distinction program fund of the state board of regents shall be paid to eligible educational institutions that are not state educational institutions for earnings equivalent awards for qualifying gifts to such eligible educational institutions. The state board of regents shall pay from the faculty of

distinction program fund the amount of each such transfer to the eligible educational institution for the earnings equivalent award for which such transfer was made under this section.

(c) The earnings equivalent award for an endowed professorship shall be determined by the director of accounts and reports and shall be the amount of interest earnings that the amount of the qualifying gift certified by the state board of regents would have earned at the average net earnings rate of the pooled money investment board portfolio for the period for which the determination is being made.

(d) The total amount of new qualifying gifts that may be certified to the director of accounts and reports under this act during any state fiscal year for all eligible educational institutions shall not exceed \$30,000,000. The total amount of new qualifying gifts that may be certified to the director of accounts and reports under this act during any state fiscal year for any individual eligible educational institution shall not exceed \$10,000,000. No additional qualifying gifts shall be certified by the state board of regents under this act when the total of all transfers from the state general fund for earnings equivalent awards for qualifying gifts pursuant to this section, and amendments thereto, for a fiscal year is equal to or greater than \$8,000,000 in fiscal year 2011 and in each fiscal year thereafter.

Sec. 184. K.S.A. 2020 Supp. 76-7,107 is hereby amended to read as follows: 76-7,107. (a) (1) On July 1, 2008, or as soon thereafter as sufficient moneys are available, \$7,000,000 shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 76-7,104, and amendments thereto.

(2) No moneys shall be transferred by the director of accounts and reports from the state general fund to the infrastructure maintenance fund established by K.S.A. 76-7,104, and amendments thereto, during the fiscal years ending ~~June 30, 2020~~, June 30, 2021, ~~and June 30, 2022~~, and June 30, 2023, pursuant to this section.

(b) All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

(c) All moneys credited to the infrastructure maintenance fund shall be expended or transferred only for the purpose of paying the cost of projects approved by the state board pursuant to the state educational institution long-term infrastructure maintenance program.

Sec. 185. K.S.A. 2020 Supp. 79-2959 is hereby amended to read as follows: 79-2959. (a) There is hereby created the local ad valorem tax reduction fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be apportioned and distributed in the manner provided herein.

(b) On January 15 and on July 15 of each year, the director of accounts and reports shall make transfers in equal amounts that in the aggregate equal 3.63% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the local ad valorem tax reduction fund, except that: (1) No moneys shall be transferred from the state general fund to the local ad valorem tax reduction fund during state fiscal years ~~2020 and 2021~~, 2022 and 2023; and (2) the amount of the transfer on each such date shall be \$27,000,000 during ~~fiscal year 2022~~ 2024 and all fiscal years thereafter. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All

transfers made in accordance with the provisions of this section shall be considered to be revenue transfers from the state general fund.

(c) The state treasurer shall apportion and pay the amounts transferred under subsection (b) to the several county treasurers on January 15 and on July 15 in each year as follows: (1) 65% of the amount to be distributed shall be apportioned on the basis of the population figures of the counties certified to the secretary of state pursuant to K.S.A. 11-201, and amendments thereto, on July 1 of the preceding year; and (2) 35% of such amount shall be apportioned on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

Sec. 186. K.S.A. 2020 Supp. 79-2964 is hereby amended to read as follows: 79-2964. There is hereby created the county and city revenue sharing fund. All moneys transferred or credited to such fund under the provisions of this act or any other law shall be allocated and distributed in the manner provided herein. The director of accounts and reports in each year on July 15 and December 10, shall make transfers in equal amounts that in the aggregate equal 2.823% of the total retail sales and compensating taxes credited to the state general fund pursuant to articles 36 and 37 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, during the preceding calendar year from the state general fund to the county and city revenue sharing fund, except that no moneys shall be transferred from the state general fund to the county and city revenue sharing fund during state fiscal years ~~2020, 2021 and, 2022~~ and 2023. All such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto. All transfers made in accordance with the provisions of this section shall be considered to be demand transfers from the state general fund.

Sec. 187. K.S.A. 2020 Supp. 79-3425i is hereby amended to read as follows: 79-3425i. On January 15 and July 15 of each year, the director of accounts and reports shall transfer a sum equal to the total taxes collected under the provisions of K.S.A. 79-6a04 and 79-6a10, and amendments thereto, and annual commercial vehicle fees collected pursuant to K.S.A. 2020 Supp. 8-143m, and amendments thereto, and credited to the state general fund during the six months next preceding the date of transfer, from the state general fund to the special city and county highway fund, created by K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers are subject to reduction under K.S.A. 75-6704, and amendments thereto; (2) no moneys shall be transferred from the state general fund to the special city and county highway fund during ~~state fiscal year 2020~~; state fiscal year 2021 ~~or, state fiscal year 2022~~ or state fiscal year 2023; and (3) all transfers under this section shall be considered to be demand transfers from the state general fund.

Sec. 188. K.S.A. 2020 Supp. 79-34,171 is hereby amended to read as follows: 79-34,171. (a) On January 1, 2009, and quarterly thereafter, the director of accounts and reports shall transfer \$400,000 from the state general fund to the Kansas retail dealer incentive fund, except that no moneys shall be transferred pursuant to this section from the state general fund to the Kansas retail dealer incentive fund during the fiscal years ending ~~June 30, 2020~~, June 30, 2021, ~~or June 30, 2022~~, or June 30, 2023. On and after July 1, 2009, the unobligated balance in the Kansas retail dealer incentive fund shall not exceed \$1.5 million. If the unobligated balance of the fund exceeds \$1.1 million at the time of a quarterly transfer, the transfer shall be limited to the amount necessary for the fund to reach a total of \$1.5 million.

(b) There is hereby created in the state treasury the Kansas retail dealer incentive fund. All moneys in the Kansas retail dealer incentive fund shall be expended by the secretary of the department of revenue for the payment of incentives to Kansas retail dealers who sell and dispense renewable fuels or biodiesel through a motor fuel pump in accordance with the provisions of K.S.A. 79-34,170 through 79-34,175, and amendments thereto.

(c) All moneys remaining in the Kansas retail dealer incentive fund upon the expiration of K.S.A. 79-34,170 through 79-34,175, and amendments thereto, shall be credited by the state treasurer to the state general fund.

Sec. 189. K.S.A. 2020 Supp. 79-4804 is hereby amended to read as follows: 79-4804. (a) After the transfer of moneys pursuant to K.S.A. 79-4806, and amendments thereto, an amount equal to 85% of the balance of all moneys credited to the state gaming revenues fund shall be transferred and credited to the state economic development initiatives fund. Expenditures from the state economic development initiatives fund shall be made in accordance with appropriations acts for the financing of such programs supporting and enhancing the existing economic foundation of the state and fostering growth through the expansion of current, and the establishment and attraction of new, commercial and industrial enterprises as provided by this section and as may be authorized by law and not less than  $\frac{1}{2}$  of such money shall be distributed equally among the congressional districts of the state. Except as provided by subsection (g), all moneys credited to the state economic development initiatives fund shall be credited within the fund, as provided by law, to an account or accounts of the fund, which are created by this section or for state fiscal years 2022 and 2023, to an account or accounts of the fund created by appropriation acts.

(b) There is hereby created the Kansas capital formation account in the state economic development initiatives fund. All moneys credited to the Kansas capital formation account shall be used to provide, encourage and implement capital development and formation in Kansas.

(c) There is hereby created the Kansas economic development research and development account in the state economic development initiatives fund. All moneys credited to the Kansas economic development research and development account shall be used to promote, encourage and implement research and development programs and activities in Kansas and technical assistance funded through state educational institutions under the supervision and control of the state board of regents or other Kansas colleges and universities.

(d) There is hereby created the Kansas economic development endowment account in the state economic development initiatives fund. All moneys credited to the Kansas economic development endowment account shall be accumulated and invested as provided in this section to provide an ongoing source of funds, which shall be used for economic development activities in Kansas, including, but not limited to, continuing appropriations or demand transfers for programs and projects, which shall include, but are not limited to, specific community infrastructure projects in Kansas that stimulate economic growth.

(e) Except as provided in subsection (f), the director of investments may invest and reinvest moneys credited to the state economic development initiatives fund in accordance with investment policies established by the pooled money investment board under K.S.A. 75-4232, and amendments thereto, in the pooled money investment

portfolio. All moneys received as interest earned by the investment of the moneys credited to the state economic development initiatives fund shall be deposited in the state treasury and credited to the Kansas economic development endowment account of such fund.

(f) Moneys credited to the Kansas economic development endowment account of the state economic development initiatives fund may be invested in government guaranteed loans and debentures as provided by law in addition to the investments authorized by subsection (e) or in lieu of such investments. All moneys received as interest earned by the investment under this subsection of the moneys credited to the Kansas economic development endowment account shall be deposited in the state treasury and credited to the Kansas economic development endowment account of the state economic development initiatives fund.

(g) Except as provided further, in each fiscal year, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$2,000,000 from the state economic development initiatives fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto. ~~In state fiscal year 2020 the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$500,000 from the state economic development initiatives fund to the state water plan fund.~~ In state fiscal year 2021, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$913,325 from the state economic development initiatives fund to the state water plan fund. In state fiscal year 2022, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal ~~\$500,000~~ \$1,719,264 from the state economic development initiatives fund to the state water plan fund. In state fiscal year 2023, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$500,000 from the state economic development initiatives fund to the state water plan fund. No other moneys credited to the state economic development initiatives fund shall be used for: (1) Water-related projects or programs, or related technical assistance; or (2) any other projects or programs, or related technical assistance that meet one or more of the long-range goals, objectives and considerations set forth in the state water resource planning act.

Sec. 190. K.S.A. 2020 Supp. 82a-953a is hereby amended to read as follows: 82a-953a. During each fiscal year, the director of accounts and reports shall transfer \$6,000,000 from the state general fund to the state water plan fund created by K.S.A. 82a-951, and amendments thereto, ~~one-half~~  $\frac{1}{2}$  of such amount to be transferred on July 15 and ~~one-half~~  $\frac{1}{2}$  to be transferred on January 15. During the fiscal year ending June 30, ~~2020~~ 2022, the transfer shall not exceed \$4,005,632.

Sec. 191. K.S.A. 75-4209, 75-6702 and 75-6706 and K.S.A. 2020 Supp. 2-223, 12-1775a, 12-5256, 55-193, 65-180, 72-5462, 74-50,107, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79-4804 and 82a-953a are hereby repealed.

Sec. 192. If any fund or account name described by words and the numerical

accounting code that follows such fund or account name do not match, it shall be conclusively presumed that the legislature intended that the fund or account name described by words is the correct fund or account name, and such fund or account name described by words shall control over a contradictory or incorrect numerical accounting code.

Sec. 193. *Severability.* If any provision or clause of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared to be severable.

Sec. 194. *Appeals to exceed expenditure limitations.* (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiative fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any such funds.

Sec. 195. *Savings.* (a) Any unencumbered balance as of June 30, 2021, in any special revenue fund, or account thereof, of any state agency named in this act that is not otherwise specifically appropriated or limited for fiscal year 2022 by this or any other appropriation act of the 2021 regular session of the legislature is hereby appropriated for the fiscal year ending June 30, 2022, for the same use and purpose as the same was heretofore appropriated.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund, the Kansas endowment for youth fund, the Kansas educational building fund, the state institutions building fund or the correctional institutions building fund, or to any account of any of such funds.

Sec. 196. During the fiscal year ending June 30, 2022, all moneys that are lawfully credited to and available in any bond special revenue fund and that are not otherwise specifically appropriated or limited by this or other appropriation act of the 2021 regular session of the legislature, are hereby appropriated for the fiscal year ending June 30, 2022, for the state agency for which the bond special revenue fund was established for the purposes authorized by law for expenditures from such bond special revenue fund. As used in this section, "bond special revenue fund" means any special revenue fund or account thereof established in the state treasury prior to or on or after the effective date

of this act for the deposit of the proceeds of bonds issued by the Kansas development finance authority for the payment of debt service for bonds issued by the Kansas development finance authority or for any related purpose in accordance with applicable bond covenants.

Sec. 197. *Federal grants.* (a) During the fiscal year ending June 30, 2022, each federal grant or other federal receipt that is received by a state agency named in this act and that is not otherwise appropriated to that state agency for fiscal year 2022 by this or other appropriation act of the 2021 regular session of the legislature, is hereby appropriated for fiscal year 2022, for that state agency for the purpose set forth in such federal grant or receipt, except that no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt that has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

(b) In addition to the other purposes for which expenditures may be made by any state agency that is named in this act and that is not otherwise authorized by law to apply for and receive federal grants, expenditures may be made by such state agency from moneys appropriated for fiscal year 2022 by this act or any other appropriation act of the 2021 regular session of the legislature to apply for and receive federal grants during fiscal year 2022, which federal grants are hereby authorized to be applied for and received by such state agencies: *Provided*, That no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt that has not been previously appropriated or reappropriated or approved for expenditure by the governor, until the governor has authorized the state agency to make expenditures therefrom.

(c) During the fiscal year ending June 30, 2022, the provisions of this section shall not apply to any federal grant or other federal receipt received by the state of Kansas for aid for conronavirus relief. Such moneys are subject to the provisions of section 30(c).

Sec. 198. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2021

regular session of the legislature and having an unencumbered balance as of June 30, 2021, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2022, for the same uses and purposes as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the correctional institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2020.

Sec. 199. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2021 regular session of the legislature and having an unencumbered balance as of June 30, 2021, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2022, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the Kansas educational building fund that was encumbered for any fiscal year commencing prior to July 1, 2020.

Sec. 200. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2021 regular session of the legislature and having an unencumbered balance as of June 30, 2021, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2022, for the same use and purpose as originally appropriated, unless specific provision is made for lapsing such appropriation.

(b) This subsection shall not apply to the unencumbered balance in any account of the state institutions building fund that was encumbered for any fiscal year commencing prior to July 1, 2020.

Sec. 201. Any transfers of moneys during the fiscal year ending June 30, 2022, from any special revenue fund of any state agency named in this act to the audit services fund of the division of post audit under K.S.A. 46-1121, and amendments thereto, shall be in addition to any expenditure limitation imposed on any such fund for the fiscal year ending June 30, 2022.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "AN ACT"; by striking all in lines 2 through 7; in line 8 by striking all before the period and inserting "making and concerning appropriations for fiscal years ending June 30, 2021, June 30, 2022, June 30, 2023, and June 30, 2024, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and

directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 75-4209, 75-6702 and 75-6706 and K.S.A. 2020 Supp. 2-223, 12-1775a, 12-5256, 55-193, 65-180, 72-5462, 74-50,107, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections";

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

RICK BILLINGER

J.R. CLAEYS

TOM HAWK

*Conferees on part of Senate*

TROY WAYMASTER

KYLE HOFFMAN

KATHY WOLFE MOORE

*Conferees on part of House*

On motion of Rep. Waymaster, the conference committee report on **HB 2007** was adopted.

On roll call, the vote was: Yeas 71; Nays 52; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Finch, Francis, French, Hawkins, Hoffman, Hoheisel, Huebert, Humphries, S. Johnson, T. Johnson, Kelly, Kessler, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Turner, Waggoner, Waymaster, Wheeler, K. Williams.

Nays: Alcala, Amyx, Awerkamp, Ballard, Bishop, Burris, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Fairchild, Featherston, Finney, Garber, Gartner, Haswood, Helgerson, Helmer, Henderson, Highberger, Highland, Houser, Howe, Hoyer, Jacobs, Jennings, Kuether, Landwehr, Lee-Hahn, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Toplikar, Vaughn, Wasinger, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Victors.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **HB 2007**. There's still no funding for K-12 education in this budget. This will inevitably put us at risk of going back to the courts. We must ensure we constitutionally fund education to avoid this. Furthermore, this budget is fiscally irresponsible and will set the state up for a budget crisis while not taking advantage of federal aid for Medicaid Expansion. Leaving the budget in the red after \$360 million costs in PPP tax conformity and forgoing nearly \$460 million in federal aid dollars is a clear neglect in offering the state significant budget relief while also providing healthcare for 160,000 + Kansans. — TOM SAWYER, BRANDON WOODARD, VALDENIA C. WINN, JO ELLA HOYE, RUI XU, BARBARA W. BALLARD, JIM GARTNER, MIKE AMYX,

CINDY NEIGHBOR, SUSAN RUIZ, STEPHANIE BYERS, MARI-LYNN POSKIN, BOOG HIGHBERGER, JOHN ALCALA, LINDA FEATHERSTON, BRETT PARKER, LINDSAY VAUGHN, VIRGIL WEIGEL, JENNIFER DAY, ELIZABETH BISHOP, BRODERICK HENDERSON, GAIL FINNEY, SYDNEY CARLIN, CHRISTINA HASWOOD, TOM BURROUGHS, JERRY STOGSDILL, AARON COLEMAN, K. C. OHAEBOSIM

MR. SPEAKER: I vote no on HB 2007 because in a year where the state has been economically shut down due to an engineered pandemic, we still increased government. I do appreciate the pay parity for Larned State Hospital to be on par with the Department of Corrections and valuing the workforce in western Kansas. However, we have to get control of our spending even if that means making hard choices. We complain about the federal government being out of touch with everyday Americans, but I'm disappointed that in a Republican controlled Kansas Statehouse, we stood against our own party platform. – TATUM LEE-HAHN

MR. SPEAKER: How can there not be guilt when politicians continue to overspend more of the taxpayer's money, placing a bigger burden upon hard working Kansans? This is not a time to spend more money but to wisely and prudently budget in this hard economic financial crisis across our state. "Republicans campaign like Libertarians and govern like Democrats...Left-wing politicians take away your liberty in the name of children and of fighting poverty, while right-wing politicians do it in the name of family values and fighting drugs. Either way, government gets bigger, and you become less free." Harry Browne. I vote NO on **HB 2007** – TREVOR JACOBS

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2039** submits the following report:

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

On page 2, in line 1, after "(b) (1)" by inserting "(A)"; in line 4, after the period by inserting "In school year 2021-2022,"; also in line 4, by striking "require students to pass" and inserting "provide to each student enrolled in such course"; in line 8, after the period by inserting "In school year 2022-2023 and each school year thereafter, students enrolled in such course of instruction shall be required to pass such basic civics test, or series of tests."; in line 27, by striking "(2)" and inserting "(B)"; following line 34, by inserting:

"(2) (A) In school years 2022-2023 and 2023-2024, all accredited high schools, public, private or parochial, shall implement and give a course of instruction concerning personal financial literacy for grades 10, 11 or 12 using the state curriculum standards for personal financial literacy developed by the state board of education pursuant to K.S.A. 72-3236, and amendments thereto.

(B) Beginning in school year 2024-2025 and each school year thereafter, any student who has not satisfactorily passed such personal financial literacy course shall not be certified as having completed the course requirements necessary for graduation from high school.";

On page 3, in line 15, by striking "10" and inserting "nine"; in line 17, after "grades" by inserting "10,";

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

MOLLY BAUMGARDNER  
RENEE ERICKSON  
*Conferees on part of House*

STEVE HUEBERT  
ADAM THOMAS  
*Conferees on part of Senate*

On motion of Rep. Huebert, the conference committee report on **HB 2039** was adopted.

On roll call, the vote was: Yeas 72; Nays 51; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Burris, B. Carpenter, W. Carpenter, Collins, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Finney, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, T. Johnson, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Ohaebosim, Owens, Penn, Poetter, Proctor, Rahjes, Resman, Rhiley, Ryckman, Samsel, Sanders, Seiwert, Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, K. Williams.

Nays: Alcalá, Amyx, Baker, Ballard, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, Clark, Clayton, Coleman, Concannon, Curtis, Day, Featherston, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Jennings, S. Johnson, Kelly, Kuetner, Miller, Neighbor, Orr, Ousley, Parker, F. Patton, Poskin, Probst, Proehl, Ralph, Ruiz, L., Ruiz, S., Sawyer, Schreiber, Smith, A., Stogsdill, Vaughn, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Howard, Victors.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I hope that the test required by the CCR for **HB 2039** includes the following question: “Under the Kansas Constitution, which of the following is responsible for setting curriculum requirement?”

- A) The Attorney General;
- B) The legislative coordinating council;
- C) The legislature;
- D) The State Board of Education”

My answer is D and I vote no on CCR for **HB 2039**. – BOOG HIGHBERGER, TOM SAWYER, AARON COLEMAN

MR. SPEAKER: I vote yes on **HB 2039**. Kansas Statutes chapter 72, section 32 entitled “CURRICULUM.” Statute number 72-3217, Required courses of instruction; graduation requirements. I invite you to read it. Thank you, Mr. Speaker. – ERIC L. SMITH, MARK SAMSEL

On motion of Rep. Hawkins, the House recessed until 5:00 p.m.

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LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

**MESSAGES FROM THE GOVERNOR**

**HB 2022, HB 2050, HB 2070, S Sub HB 2072, HB 2112, HB 2126, HB 2145, HB 2155, HB 2162, HB 2214, HB 2298, HB 2367** approved on April 9, 2021

**MESSAGES FROM THE SENATE**

The Senate adopts the Conference Committee report on **SB 86**.

The Senate concurs in House amendments to **SB 178**, and requests return of the bill.

The Senate adopts the Conference Committee report on **HB 2021**.

The Senate adopts the Conference Committee report on **HB 2114**.

The Senate adopts the Conference Committee report on **HB 2208**.

The Senate adopts the Conference Committee report on **HB 2405**.

The Senate adopts the Conference Committee report on **HB 2064**.

The Senate adopts the Conference Committee report on **HB 2196**.

The Senate adopts the Conference Committee report on **HB 2143**.

**CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2021** submits the following report:

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

On page 1, in line 7, before "Section" by inserting "New";

On page 3, following line 5, by inserting:

"Sec. 2. K.S.A. 75-4364 is hereby amended to read as follows: 75-4364. (a) As used in this section:

(1) "Dependent" means: (A) A birth child, adopted child or stepchild; or (B) any child other than the foregoing who is actually dependent in whole or in part on the individual and who is related to such individual by marriage or consanguinity.

(2) "Emergency medical service provider" means the same as defined in K.S.A. 65-6112, and amendments thereto.

(3) "Firefighter" means a person who is: (A) Employed by any city, county, township or other political subdivision of the state and who is assigned to the fire department thereof and engaged in the fighting and extinguishment of fires and the protection of life and property therefrom; or (B) a volunteer member of a fire district, fire department or fire company.

(4) "Kansas educational institution" means and includes community colleges, the municipal university, state educational institutions, the institute of technology at Washburn university and technical colleges.

(5) "Law enforcement officer" means a person who by virtue of office or public

employment is vested by law with a duty to maintain public order or to make arrests for violation of the laws of the state of Kansas or ordinances of any municipality thereof or with a duty to maintain or assert custody or supervision over persons accused or convicted of crime, and includes wardens, superintendents, directors, security personnel, officers and employees of adult and juvenile correctional institutions, jails or other institutions or facilities for the detention of persons accused or convicted of crime, while acting within the scope of their authority.

(6) "Military service" means any active service in any armed service of the United States and any active state or federal service in the Kansas army or air national guard.

(7) "Prisoner of war" means any person who was a resident of Kansas at the time the person entered service of the United States armed forces and who, while serving in the United States armed forces, has been declared to be a prisoner of war, as established by the United States secretary of defense, after January 1, 1960.

(8) "Public safety officer" means a law enforcement officer ~~or~~, a firefighter ~~or~~, an emergency medical service provider or a public safety employee.

(9) "Resident of Kansas" means a person who is a domiciliary resident as defined by K.S.A. 76-729, and amendments thereto.

(10) "Spouse" means the spouse of a deceased public safety officer or deceased member of the military service who has not remarried.

(11) "State board" means the state board of regents.

(12) "Public safety employee" means any employee of a law enforcement office, sheriff's department, municipal fire department, volunteer and non-volunteer fire protection association, emergency medical services provider or correctional institution of the department of corrections.

(b) (1) Every Kansas educational institution shall provide for enrollment without charge of tuition or fees for:

~~(A)~~ (A) Any eligible dependent or spouse of a public safety officer who:

(i) Was injured or disabled while performing duties as a public safety officer; or

(ii) died as the result of injury sustained while performing duties as a public safety officer so long as such dependent or spouse is eligible;

~~(B)~~ (B) any dependent or spouse of any resident of Kansas who:

(i) Died or was injured or disabled on or after September 11, 2001, while, and as a result of, serving in military service; or

(ii) is entitled to compensation for a service-connected disability of at least 80% because of a public statute administered by the department of veterans affairs or a military department as a result of injuries or accidents sustained in combat after September 11, 2001; and

~~(C)~~ (C) any prisoner of war.

(2) Any such dependent or spouse and any prisoner of war shall be eligible for enrollment at a Kansas educational institution without charge of tuition or fees for not to exceed 10 semesters of undergraduate instruction, or the equivalent thereof, at all such institutions.

(c) Subject to appropriations therefor, any Kansas educational institution, at which enrollment, without charge of tuition or fees, of a prisoner of war or a dependent or spouse is provided for under subsection (b), may file a claim with the state board for reimbursement of the amount of such tuition and fees. In any fiscal year, such reimbursement shall not exceed a total of \$350,000. The state board shall include in its

budget estimates pursuant to K.S.A. 75-3717, and amendments thereto, a request for appropriations to cover tuition and fee claims pursuant to this section. The state board shall be responsible for payment of reimbursements to Kansas educational institutions upon certification by each such institution of the amount of reimbursement to which entitled. Payments to Kansas educational institutions shall be made upon vouchers approved by the state board and upon warrants of the director of accounts and reports. Payments may be made by issuance of a single warrant to each Kansas educational institution at which one or more eligible dependents or spouses or prisoners of war are enrolled for the total amount of tuition and fees not charged for enrollment at that institution. The director of accounts and reports shall cause such warrant to be delivered to the Kansas educational institution at which any such eligible dependents or spouses or prisoners of war are enrolled. If an eligible dependent or spouse or prisoner of war discontinues attendance before the end of any semester, after the Kansas educational institution has received payment under this subsection, the institution shall pay to the state the entire amount that such eligible dependent or spouse or prisoner of war would otherwise qualify to have refunded, not to exceed the amount of the payment made by the state in behalf of such dependent or spouse or prisoner of war for the semester. All amounts paid to the state by Kansas educational institutions under this subsection shall be deposited in the state treasury and credited to the state general fund.

(d) The state board shall adopt rules and regulations for administration of the provisions of this section and shall determine the qualification of persons as dependents and spouses of public safety officers or United States military personnel and the eligibility of such persons for the benefits provided for under this section.

Sec. 3. K.S.A. 75-4364 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "public safety officers, military personnel, prisoners of war and veterans; expanding educational benefits for spouses and dependents of such officers and personnel who are injured while performing service-related duties; authorizing"; in line 4, after "council" by inserting "pertaining to such bonds; amending K.S.A. 75-4364 and repealing the existing section";

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

RICK BILLINGER

J.R. CLAEYS

TOM HAWK

*Conferees on part of Senate*

TROY WAYMASTER

KYLE HOFFMAN

KATHY WOLFE MOORE

*Conferees on part of House*

On motion of Rep. Waymaster, the conference committee report on **HB 2021** was adopted.

On roll call, the vote was: Yeas 119; Nays 3; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker,

Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Garber, Jacobs, Rhiley.

Present but not voting: None.

Absent or not voting: Helgerson, Howard, Victors.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2064** submits the following report:

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

On page 1, by striking all in lines 7 through 34;

By striking all on page 2;

On page 3, by striking all in lines 1 and 2; following line 2 by inserting:

"Section 1. (a) Section 1 et seq., and amendments thereto, shall be known and may be cited as the Kansas promise scholarship act.

(b) As used in the Kansas promise scholarship act:

(1) "Eligible postsecondary educational institution" means:

(A) Any community college or technical college established under the laws of this state;

(B) the Washburn institute of technology; or

(C) any not-for-profit institution of postsecondary education with its main campus or principal place of operation in Kansas that offers a promise eligible program, is operated independently and not controlled or administered by any state agency or subdivision of the state, maintains open enrollment and is accredited by a nationally recognized accrediting agency for higher education in the United States.

(2) "Military servicemember" means the same as defined in K.S.A. 2020 Supp. 48-3406, and amendments thereto.

(3) "Part-time student" means a student who is enrolled for six credit hours or more in a semester and is not enrolled as a full-time student.

(4) "Promise eligible program" means any two-year associate degree program or

career and technical education certificate or stand-alone program offered by an eligible postsecondary educational institution that is identified as a "promise eligible program" by the state board of regents pursuant to section 2, and amendments thereto, or designated as a "promise eligible program" by an eligible postsecondary educational institution pursuant to section 3, and amendments thereto.

Sec. 2. (a) There is hereby established the Kansas promise scholarship program. The state board of regents shall administer the program.

(b) On or before March 1, 2022, the state board of regents shall adopt rules and regulations to implement and administer the Kansas promise scholarship program. Such rules and regulations shall establish:

- (1) Scholarship application deadlines;
- (2) appeal procedures for denial or revocation of a Kansas promise scholarship;
- (3) guidelines to ensure as much as is practicable that, if a student who received a Kansas promise scholarship graduates from a promise eligible program and subsequently enrolls in a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, or municipal university, any courses taken by such student shall be transferred to the state educational institution or municipal university and qualify toward the student's baccalaureate degree;
- (4) the terms, conditions and requirements that shall be incorporated into each Kansas promise scholarship agreement;
- (5) procedures for requesting and approving medical, military and personal absences from an eligible postsecondary educational institution while receiving a Kansas promise scholarship;
- (6) criteria for determining whether a student who received a Kansas promise scholarship fulfilled the residency, employment and repayment requirements included in a Kansas promise scholarship agreement as provided in section 6, and amendments thereto; and
- (7) criteria for determining when a student who received a Kansas promise scholarship may be released from the requirements of a Kansas promise scholarship, if there are special circumstances that caused such student to be unable to complete such requirements.

(c) The state board of regents shall:

(1) Identify the promise eligible programs offered by each eligible postsecondary educational institution that are:

- (A) In any of the following fields of study:
  - (i) Information technology and security;
  - (ii) mental and physical healthcare;
  - (iii) advanced manufacturing and building trades; or
  - (iv) early childhood education and development; or
- (B) designated by the eligible postsecondary educational institution pursuant to

section 3, and amendments thereto;

(2) work with community partners, such as community foundations, school districts, postsecondary educational institutions, Kansas business and industry and Kansas economic development organizations to publicize Kansas promise scholarships, including, but not limited to, publicizing eligible postsecondary educational institutions, approved scholarship-eligible educational programs, application procedures and application deadlines;

(3) disburse funds to each eligible postsecondary educational institution for the purpose of awarding Kansas promise scholarships;

(4) request information from eligible postsecondary educational institutions necessary for the administration of this act;

(5) ensure that any student who received a Kansas promise scholarship fulfills the residency, employment and repayment requirements provided in section 6, and amendments thereto; and

(6) beginning in January 2022, annually evaluate the Kansas promise scholarship program and prepare and submit a report to the senate standing committee on education and the house of representatives standing committee on education.

Sec. 3. (a) Subject to subsection (b), an eligible postsecondary educational institution may designate one additional promise eligible program if the additional program is a two-year associate degree program or a career and technical education certificate or stand-alone program that corresponds to a high wage, high demand or critical need occupation.

(b) To designate an additional promise eligible program, such institution shall have and maintain an existing promise eligible program in any of the following fields of study:

- (1) Information technology and security;
- (2) mental and physical healthcare;
- (3) advanced manufacturing and building trades; or
- (4) early childhood education and development.

(c) An eligible postsecondary educational institution that designates an additional promise eligible program pursuant to subsection (a) shall maintain the promise eligible program designation of such program for at least three consecutive years. After maintaining such program for at least three years, the institution may designate a new promise eligible program that corresponds to a high wage, high demand or critical need occupation to replace the existing designated promise eligible program. Any newly designated program shall be subject to the requirements of this section.

Sec. 4. (a) (1) Subject to appropriations, the amount of a Kansas promise scholarship for a student for each semester shall be the aggregate amount of tuition, required fees and the cost of books and required materials for the promise eligible program at the eligible postsecondary educational institution for the academic year in which the student is enrolled and receiving the scholarship minus the aggregate amount of all other aid awarded to such student for such semester. Aid includes any grant,

scholarship or financial assistance awards that do not require repayment.

(2) If a student is enrolled in a promise eligible program offered by a four-year eligible postsecondary educational institution, the aggregate amount of tuition, mandatory fees and the cost of books and materials for such program shall be the average cost of tuition, mandatory fees and the cost of books and materials for such promise eligible program when offered by an eligible public postsecondary educational institution that is not a four-year institution.

(b) Except as otherwise provided in this subsection, Kansas promise scholarships shall only be awarded to an eligible student whose family household income equals \$100,000 or less for a family of two, \$150,000 or less for a family of three and, for household sizes above three, a household income that is equal to or less than the family of three amount plus \$4,800 for each additional family member. If scholarship moneys remain in the Kansas promise scholarship program fund during the award year after awarding all other scholarships pursuant to this section, Kansas promise scholarships may be awarded to eligible students whose family household income exceeds such amounts.

(c) For fiscal years 2022 and 2023, the appropriation made for the Kansas promise scholarship program shall not exceed \$10,000,000. For fiscal year 2024 and each fiscal year thereafter, the appropriation shall not exceed 150% of the amount disbursed in promise scholarships for the immediately preceding fiscal year.

Sec. 5. (a) To be eligible for a Kansas promise scholarship, a student shall:

- (1) Be a Kansas resident;
- (2) (A) have graduated from an accredited Kansas public or private secondary school within the preceding 12 months;  
(B) have completed the requirements for graduation at a non-accredited private secondary school as provided in K.S.A. 72-4345, and amendments thereto, within the preceding 12 months;
- (C) attended an accredited Kansas public or private secondary school or non-accredited private school as provided in K.S.A. 72-4345, and amendments thereto, and obtained a high school equivalency certificate within the preceding 12 months;
- (D) be 21 years of age or older and, upon application for a scholarship, have been a resident of Kansas for three or more consecutive years; or
- (E) be a dependent child of a military servicemember permanently stationed in another state and who, within the preceding 12 months, graduated from any out-of-state secondary school or obtained a high school equivalency certificate;
- (3) complete the required scholarship application on such forms and in such manner as established by the state board of regents;
- (4) enter into a Kansas promise scholarship agreement pursuant to section 6, and amendments thereto;
- (5) complete the free application for federal student aid for the academic year in which the student applies to receive a Kansas promise scholarship; and

(6) enroll in an eligible postsecondary educational institution in a promise eligible program.

(b) To continue to receive a Kansas promise scholarship, a student shall:

(1) Maintain satisfactory academic progress toward completion of the promise eligible program; and

(2) satisfy the requirements of a Kansas promise scholarship agreement as provided in section 6, and amendments thereto.

(c) Nothing in this act shall prohibit a student who received postsecondary course credit while enrolled in high school from qualifying for a Kansas promise scholarship.

Sec. 6. (a) As a condition to receiving a Kansas promise scholarship, an eligible student shall enter into a Kansas promise scholarship agreement with the eligible postsecondary educational institution making the scholarship award to such student. Such agreement shall require such student who receives a Kansas promise scholarship to:

(1) Enroll as a full-time or part-time student at the eligible postsecondary educational institution from which the student is receiving a Kansas promise scholarship and engage in and complete the required promise eligible program within 30 months of the date the scholarship was first awarded;

(2) within six months after graduation from the promise eligible program:

(A) Reside in and commence work in the state of Kansas for at least two consecutive years following completion of such program; or

(B) enroll as a full-time or part-time student in any public or private postsecondary educational institution with its primary location in Kansas and upon graduation or failure to re-enroll, reside in and commence work in Kansas for at least two consecutive years following the completion of such program;

(3) maintain records and make reports to the state board of regents on such forms and in such manner as required by the state board of regents to document the satisfaction of the requirements of this act; and

(4) upon failure to satisfy the requirements of a Kansas promise scholarship agreement, repay the amount of the Kansas promise scholarship the student received under the program as provided in subsection (b).

(b)(1) Except as provided in subsection (c), if any student who receives a Kansas promise scholarship fails to satisfy the requirements of a Kansas promise scholarship agreement, such student shall pay an amount equal to the total amount of money received by such student pursuant to such agreement that is financed by the state of Kansas plus accrued interest at a rate equivalent to the interest rate applicable to loans made under the federal PLUS program at the time such person first entered into an agreement. Installment payments of such amounts may be made in accordance with rules and regulations of the state board of regents. Such installment payments shall begin six months after the date of the action or circumstances that cause such student to fail to satisfy the requirements of a Kansas promise scholarship agreement, as determined by the state board of regents upon the circumstances of each individual

case. All moneys received pursuant to this subsection 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 Kansas promise scholarship program fund.

(2) The state board of regents is authorized to turn any repayment account arising under this act to a designated loan servicer or collection agency, the state not being involved other than to receive payments from the loan servicer or collection agency at the interest rate prescribed under this subsection.

(c) Any requirement of a Kansas promise scholarship agreement entered into pursuant to this section may be postponed for good cause in accordance with rules and regulations of the state board of regents.

(d) A scholarship recipient satisfies the requirements of the Kansas promise scholarship program if such recipient:

- (1) Completes the requirements of the scholarship agreement;
- (2) commences service as a military servicemember after receiving a Kansas promise scholarship;
- (3) fails to satisfy the requirements after making the best possible effort to do so as determined by the state board of regents;
- (4) is unable to obtain employment or continue in employment after making the best possible effort to do so; or
- (5) is unable to satisfy the requirements due to disability or death of the recipient.

Sec. 7. There is hereby created in the state treasury the Kansas promise scholarship program fund, which shall be administered by the state board of regents. All expenditures from the Kansas promise scholarship program fund shall be for scholarships awarded pursuant to the Kansas promise scholarship program. All expenditures from the Kansas promise scholarship program 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 executive officer of the state board or the designee of the executive officer. All moneys received by the board for the Kansas promise scholarship program shall be deposited in the state treasury 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 Kansas promise scholarship program fund.";

Also on page 3, in line 4, by striking "Kansas register" and inserting "statute book";  
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 and 3; in line 4, by striking all before the period and inserting "postsecondary education; creating the Kansas promise scholarship act and the Kansas promise scholarship fund";

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

MOLLY BAUMGARDNER  
RENEE ERICKSON  
DINAH SYKES

*Conferees on part of Senate*

SEAN TARWATER  
MARTY LONG  
STEPHANIE CLAYTON

*Conferees on part of House*

On motion of Rep. Tarwater, the conference committee report on **HB 2064** was adopted.

On roll call, the vote was: Yeas 118; Nays 4; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jennings, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, Burris, Jacobs, S. Johnson.

Present but not voting: None.

Absent or not voting: Helgerson, Howard, Victors.

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2114** submits the following report:

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

On page 1, in line 6, before "Section" by inserting "New"; in line 26, by striking "the ranking minority" and inserting "a"; in line 27, after "welfare" by inserting ", appointed by the minority leader of the senate";

On page 4, following line 5, by inserting:

"New Sec. 2. (a) The attorney general shall appoint a Kansas elder and dependent adult abuse multidisciplinary team coordinator and, within the limits of appropriations available therefor, such additional staff as necessary to support the coordinator. The coordinator shall facilitate the convening of an elder and dependent adult abuse multidisciplinary team in each judicial district.

(b) (1) Such teams shall be composed of the following individuals, or their designee:

- (A) The sheriff of each county within the judicial district;
- (B) the county or district attorney of each county within the judicial district;
- (C) the secretary for children and families;
- (D) the secretary for aging and disability services; and
- (E) the state long-term care ombudsman.

(2) Such teams may also include the following individuals:

(A) A representative from any law enforcement agency not included in subsection (b)(1)(A);

- (B) a medical provider;
- (C) a legal services provider;
- (D) a housing provider or representative of elder or dependent adult housing facilities;

- (E) the district coroner or a medical examiner;
- (F) a representative of the financial services or banking industry;
- (G) a representative of the area agencies on aging; or
- (H) any other individual deemed necessary by the team.

(c) Such team:

(1) Shall coordinate investigations of elder and dependent adult abuse as defined by K.S.A. 21-5417, 39-1401 et seq. and 39-1430 et seq., and amendments thereto; and

(2) may identify opportunities within local jurisdictions to improve policies and procedures in the notification and response to abuse, neglect and exploitation of elder or dependent adults, within the limits of local resources.

(d) Such team shall determine the the manner and frequency of meetings, but shall not meet less than quarterly. The team may create and enter into memorandums of understanding with any governmental agency or private entity deemed necessary by the team.

(e) All documents, materials or other information obtained by or discussed by the team shall be confidential and privileged and not be subject to the provisions of the Kansas open records act as provided by K.S.A. 45-215 et seq., and amendments thereto. The provisions of this subsection shall expire on July 1, 2026, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2026.

(f) Meetings conducted pursuant to this section shall not be subject to the provisions of the Kansas open meetings act as provided by K.S.A. 75-4317 et seq., and amendments thereto.

(g) On or before the first day of each regular session of the legislature, beginning

with the 2022 regular session, the attorney general shall submit a report to the legislature on the implementation and use of the teams.

Sec. 3. K.S.A. 2020 Supp. 39-1430 is hereby amended to read as follows: 39-1430. As used in this act:

(a) "Act" means K.S.A. 39-1430 et seq., and amendments thereto.

~~(b) (1) "Adult" means an individual a person~~ 18 years of age or older alleged to be unable to protect ~~their such person's~~ own interest and who is harmed or threatened with harm, whether financial, mental or physical in nature, through action or inaction by either another individual or through ~~their such person's~~ own action or inaction when:

~~(1)(A)~~ Such person is residing in such person's own home, the home of a family member or the home of a friend;

~~(2)(B)~~ such person resides in an adult family home as defined in K.S.A. 39-1501, and amendments thereto; or

~~(3)(C)~~ such person is receiving services through:

~~(i)~~ A provider of community services and affiliates thereof operated or funded by the Kansas department for children and families; or

~~(ii)~~ the Kansas department for aging and disability services or a residential facility licensed pursuant to K.S.A. 2020 Supp. 39-2001 et seq., and amendments thereto.

~~Such term shall~~ ~~(2)~~ "Adult" does not include persons to whom K.S.A. 39-1401 et seq., and amendments thereto, apply.

~~(b)(c)~~ "Abuse" means any act or failure to act performed intentionally or recklessly that causes or is likely to cause harm to an adult, including:

(1) Infliction of physical or mental injury;

(2) any sexual act with an adult when the adult does not consent or when the other person knows or should know that the adult is incapable of resisting or declining consent to the sexual act due to mental deficiency or disease or due to fear of retribution or hardship;

(3) unreasonable use of a physical restraint, isolation or medication that harms or is likely to harm an adult;

(4) unreasonable use of a physical or chemical restraint, medication or isolation as punishment, for convenience, in conflict with a physician's orders or as a substitute for treatment, except where such conduct or physical restraint is in furtherance of the health and safety of the adult; or

(5) a threat or menacing conduct directed toward an adult that results or might reasonably be expected to result in fear or emotional or mental distress to an adult;

~~(6)~~ fiduciary abuse; or

~~(7)~~ omission or deprivation by a caretaker or another person of goods or services that are necessary to avoid physical or mental harm or illness.

~~(e)(d)~~ "Neglect" means the failure or omission by one's self, caretaker or another person with a duty to supply or provide goods or services that are reasonably necessary to ensure safety and well-being and to avoid physical or mental harm or illness.

~~(4)(c)~~ "Financial exploitation" means ~~misappropriation of an adult's property or intentionally taking unfair advantage of an adult's physical or financial resources for another individual's personal or financial advantage by the use of undue influence, coercion, harassment, duress, deception, false representation or false pretense by a caretaker or another person~~ the unlawful or improper use, control or withholding of an adult's property, income, resources or trust funds by any other person or entity in a

manner that is not for the profit of or to the advantage of the adult. "Financial exploitation" includes, but is not limited to:

(1) The use of deception, intimidation, coercion, extortion or undue influence by a person or entity to obtain or use an adult's property, income, resources or trust funds in a manner for the profit of or to the advantage of such person or entity;

(2) the breach of a fiduciary duty, including, but not limited to, the misuse of a power of attorney, trust or a guardianship or conservatorship appointment, as it relates to the property, income, resources or trust funds of the adult; or

(3) the obtainment or use of an adult's property, income, resources or trust funds, without lawful authority, by a person or entity who knows or clearly should know that the adult lacks the capacity to consent to the release or use of such adult's property, income, resources or trust funds.

(e) ~~"Fiduciary abuse" means a situation in which any person who is the caretaker of, or who stands in a position of trust to, an adult, takes, secretes or appropriates their money or property to any use or purpose not in the due and lawful execution of such person's trust or benefit.~~

(f) "In need of protective services" means that an adult is unable to provide for or obtain services that are necessary to maintain physical or mental health or both.

(g) "Services that are necessary to maintain physical or mental health or both" include, but are not limited to, the provision of medical care for physical and mental health needs, the relocation of an adult to a facility or institution able to offer such care, assistance in personal hygiene, food, clothing, adequately heated and ventilated shelter, protection from health and safety hazards, protection from maltreatment the result of which includes, but is not limited to, malnutrition, deprivation of necessities or physical punishment and transportation necessary to secure any of the above stated needs, except that this term shall not include taking such person into custody without consent except as provided in this act.

(h) "Protective services" means services provided by the state or other governmental agency or by private organizations or individuals that are necessary to prevent abuse, neglect or financial exploitation. Such protective services ~~shall~~ include, but ~~shall~~ are not ~~be~~ limited to, evaluation of the need for services, assistance in obtaining appropriate social services and assistance in securing medical and legal services.

(i) "Caretaker" means a person who has assumed the responsibility, whether legally or not, for an adult's care or financial management or both.

(j) "Secretary" means the secretary for children and families.

(k) "Report" means a description or accounting of an incident or incidents of abuse, neglect or financial exploitation under this act and, for the purposes of this act ~~shall~~ does not include any written assessment or findings.

(l) "Law enforcement" means the public office that is vested by law with the duty to maintain public order, make arrests for crimes, investigate criminal acts and file criminal charges, whether that duty extends to all crimes or is limited to specific crimes.

(m) "Involved adult" means the adult who is the subject of a report of abuse, neglect or financial exploitation under this act.

(n) "Legal representative," "financial institution" and "governmental assistance provider" mean the same as defined in K.S.A. 39-1401, and amendments thereto.

No person shall be considered to be abused, neglected ~~or~~ financially exploited or in

need of protective services for the sole reason that such person relies upon spiritual means through prayer alone for treatment in accordance with the tenets and practices of a recognized church or religious denomination in lieu of medical treatment.

Sec. 4. K.S.A. 2020 Supp. 39-1431 is hereby amended to read as follows: 39-1431.

~~(a) Any person who is licensed to practice any branch of the healing arts, a licensed psychologist, a licensed master level psychologist, a licensed clinical psychotherapist, the chief administrative officer of a medical care facility, a teacher, a licensed social worker, a licensed professional nurse, a licensed practical nurse, a licensed dentist, a licensed marriage and family therapist, a licensed clinical marriage and family therapist, licensed professional counselor, licensed clinical professional counselor, registered alcohol and drug abuse counselor, a law enforcement officer, an emergency medical service provider, a case manager, a rehabilitation counselor, a bank trust officer or any other officers of financial institutions, a legal representative, a governmental assistance provider, an owner or operator of a residential care facility, an independent living counselor and the chief administrative officer of a licensed home health agency, the chief administrative officer of an adult family home and the chief administrative officer of a provider of community services and affiliates thereof operated or funded by the Kansas department for aging and disability services or licensed under K.S.A. 2019-Supp. 39-2001 et seq., and amendments thereto, who has reasonable cause to believe that an adult is being or has been abused, neglected or exploited or is in need of protective services shall report, immediately from receipt of the information, such information or cause a report of such information to be made in any reasonable manner.~~

(1) When any of the following persons has reasonable cause to suspect or believe that an adult is in need of protective services or being harmed as a result of abuse, neglect or financial exploitation, such person shall promptly report the matter as provided by the provisions of this section:

(A) Persons licensed to practice the healing arts;

(B) persons engaged in postgraduate training programs approved by the state board of healing arts;

(C) persons licensed by the Kansas dental board to engage in the practice of dentistry;

(D) persons licensed by the board of examiners in optometry to engage in the practice of optometry;

(E) persons licensed by the board of nursing to engage in the practice of nursing;

(F) chief administrative officers of medical care facilities;

(G) persons licensed by the behavioral sciences regulatory board to provide mental health services, including psychologists, masters level psychologists, bachelors level social workers, masters level social workers, clinical social workers, marriage and family therapists, clinical marriage and family therapists, professional counselors, clinical professional counselors, behavior analysts, addiction counselors and clinical addiction counselors;

(H) teachers, school administrators or other employees of any Kansas educational institution, as defined in K.S.A. 75-53,112, and amendments thereto, that the adult is attending;

(I) firefighters, law enforcement officers and emergency medical services personnel;

(J) court services officers, community corrections officers, case managers

appointed under K.S.A. 23-3508, and amendments thereto, and mediators appointed under K.S.A. 23-3502, and amendments thereto;

(K) bank trust officers or any other officers of financial institutions;

(L) rehabilitation counselors;

(M) legal representatives;

(N) governmental assistance providers;

(O) independent living counselors;

(P) owners or operators of residential care facilities, as defined in K.S.A. 2020 Supp. 39-2002, and amendments thereto;

(Q) the chief administrative officer of a licensed home health agency, as defined in K.S.A. 65-5101, and amendments thereto;

(R) the chief administrative officer of an adult family home, as defined in K.S.A. 39-1501, and amendments thereto; and

(S) the chief administrative officer of any provider of community services and affiliates thereof operated or funded by the Kansas department for children and families or licensed under K.S.A. 39-2001 et seq., and amendments thereto.

(2) An employee of a domestic violence center shall not be required to report information or cause a report of information to be made under this subsection.

(b) Other state agencies receiving reports that are to be referred to the Kansas department for children and families and the appropriate law enforcement agency, shall submit the report to the department and agency within six hours, during normal work days, of receiving the information. Reports shall be made to the Kansas department for children and families during the normal working week days and hours of operation. Reports shall be made to law enforcement agencies during the time the Kansas department for children and families is not in operation. Law enforcement shall submit the report and appropriate information to the Kansas department for children and families on the first working day that the Kansas department for children and families is in operation after receipt of such information.

~~(b)(c)~~ The report made pursuant to ~~subsection (a)~~ this section shall contain the name and address of the person making the report and of the caretaker caring for the involved adult, the name and address of the involved adult, information regarding the nature and extent of the abuse, neglect or financial exploitation, the name of the next of kin of the involved adult, if known, and any other information that the person making the report believes might be helpful in the investigation of the case and the protection of the involved adult.

~~(d)~~ (d) Any other person, not listed in subsection (a), ~~having who has~~ reasonable cause to suspect or believe that an adult is being or has been ~~abused, neglected or exploited or is in need of protective services~~ harmed as a result of abuse, neglect or financial exploitation may report such information to the Kansas department for children and families. Reports shall be made to law enforcement agencies during the time the Kansas department for children and families is not in operation.

~~(e)~~ (e) A person making a report under subsection (a) shall not be required to make a report under K.S.A. 39-1401 through 39-1410, and amendments thereto.

~~(f)~~ (f) Any person required to report information or cause a report of information to be made under subsection (a) who knowingly fails to make such report or ~~cause~~ knowingly causes such report not to be made shall be guilty of a class B misdemeanor.

~~(g)~~ (g) Notice of the requirements of this act and the department to which a report is

to be made under this act shall be posted in a conspicuous public place in every adult family home as defined in K.S.A. 39-1501, and amendments thereto, and every provider of community services and affiliates thereof operated or funded by the Kansas department for aging and disability services or other facility licensed under K.S.A. 2020 Supp. 39-2001 et seq., and amendments thereto, and other institutions included in subsection (a).

Sec. 5. K.S.A. 2020 Supp. 39-1433 is hereby amended to read as follows: 39-1433.

(a) The Kansas department for children and families, upon receiving a report that an adult is being; or has been ~~abused, neglected, or exploited or is in need of protective services, harmed as a result of abuse, neglect or financial exploitation,~~ shall:

(1) ~~Immediately notify, in writing, the appropriate law enforcement agency when a criminal act has occurred or has appeared appears to have occurred, immediately notify, in writing, the appropriate law enforcement agency;~~

(2) make a ~~personal~~ face-to-face visit with the involved adult:

(A) Within 24 hours when the information from the reporter indicates imminent danger to the health or welfare of the involved adult;

(B) within three working days for all reports of suspected abuse, when the information from the reporter indicates no imminent danger; and

(C) within five working days for all reports of neglect or financial exploitation when the information from the reporter indicates no imminent danger;:

(3) complete, within 30 working days of receiving a report of abuse or neglect and 60 working days of receiving a report of financial exploitation, a thorough investigation and evaluation to determine the situation relative to the condition of the involved adult and what action and services, if any, are required. The evaluation shall include, but not be limited to, consultation with those individuals having knowledge of the facts of the particular case. If conducting the investigation within the corresponding 30 or 60 working days would interfere with an ongoing criminal investigation, the time period for the investigation shall be extended, but the investigation and evaluation shall be completed within 90 working days. If a finding is made prior to the conclusion of the criminal investigation, the investigation and evaluation may be reopened and a new finding made based on any additional evidence provided as a result of the criminal investigation. If the alleged perpetrator is licensed, registered or otherwise regulated by a state agency, such state agency ~~also~~ shall be notified upon completion of the investigation or sooner if such notification does not compromise the investigation; and

(4) prepare, upon completion of the investigation of each case, a written assessment that shall include an analysis of whether there is or has been abuse, neglect or financial exploitation, recommended action, a determination of whether protective services are needed and any follow-up.

(b) The secretary for children and families shall forward any finding of abuse, neglect or financial exploitation alleged to have been committed by a provider of services licensed, registered or otherwise authorized to provide services in this state to the appropriate state regulatory authority that regulates such provider. ~~The appropriate state regulatory authority may consider the finding in any disciplinary action taken with respect to the provider of services under the jurisdiction of such authority.~~

(c) The secretary for children and families shall forward any substantiated finding of abuse, neglect or financial exploitation alleged to have been committed by a provider of services licensed, registered or otherwise authorized to provide services in this state

to the appropriate state regulatory authority, and such authority may consider the finding in any disciplinary action taken with respect to such provider under the jurisdiction of such authority.

(d) The Kansas department for children and families shall inform the complainant, upon request of the complainant, that an investigation has been made and if the allegations of abuse, neglect or exploitation have been substantiated, that corrective measures will be taken, upon completion of the investigation or sooner, if such measures do not jeopardize the investigation initiated.

(d)(e) The Kansas department for children and families may shall inform the chief administrative officer officers of community facilities licensed pursuant to K.S.A. 2020 Supp. 39-2001 et seq., and amendments thereto, and nursing facilities, nursing facilities for mental health, intermediate care facilities for people with intellectual disability, assisted living facilities, residential healthcare facilities and home plus as defined in K.S.A. 39-923, and amendments thereto, of confirmed substantiated findings of resident abuse, neglect or financial exploitation.

Sec. 6. K.S.A. 39-1438 is hereby amended to read as follows: 39-1438. If an involved adult does not consent to the receipt of agree to accept reasonable and necessary protective services, or if such adult withdraws the consent states during the course of service delivery that such adult does not want to proceed with such services, such services shall not be provided or continued.

Sec. 7. K.S.A. 39-1441 is hereby amended to read as follows: 39-1441. The authority of the secretary under this act shall include includes, but is not limited to, the right to initiate or otherwise take those actions necessary to assure the health, safety and welfare of an involved adult, subject to any specific requirements for individual consent of the adult. The secretary may establish a toll-free telephone number for the reporting of instances of abuse, neglect or financial exploitation under this act.

Sec. 8. K.S.A. 2020 Supp. 39-1443 is hereby amended to read as follows: 39-1443. (a) ~~Investigation of adult abuse.~~ The Kansas department for children and families and law enforcement officers shall have the duty to receive and investigate reports of adult abuse, neglect, or financial exploitation or fiduciary abuse for the purpose of determining whether the report is valid and whether action is required to protect the adult from further abuse or, neglect or financial exploitation. If the department and such officers determine that no action is necessary to protect the adult but that a criminal prosecution should be considered, the department and such law enforcement officers shall make a report of the case to the appropriate law enforcement agency.

(b) Joint investigations: (1) When a report of adult neglect, adult abuse, neglect or financial exploitation or fiduciary abuse indicates: (1) that there is serious physical injury to or serious deterioration or sexual abuse or financial exploitation of the adult; and (2) that action may be required to protect the adult, the investigation may be conducted as a joint effort between the Kansas department for children and families and the appropriate law enforcement agency or agencies, with a free exchange of information between such agencies.

(2) Upon completion of the investigation by the law enforcement agency, a full report shall be provided to the Kansas department for children and families.

(c) Coordination of investigations by county or district attorney. If a dispute develops between agencies investigating a reported case of adult abuse, neglect, or financial exploitation or fiduciary abuse, the appropriate county or district attorney shall

take charge of, direct and coordinate the investigation.

(d) ~~Investigations concerning certain facilities.~~—Any investigation by a law enforcement agency involving a facility subject to licensing or regulation by the secretary of health and environment shall be reported promptly to the ~~state~~ secretary of health and environment, upon conclusion of the investigation or sooner if such report does not compromise the investigation.

(e) ~~Cooperation between agencies.~~—Law enforcement agencies and the Kansas department for children and families shall assist each other in taking action ~~which that~~ is necessary to protect the adult regardless of which party conducted the initial investigation.

Sec. 9. K.S.A. 75-723 is hereby amended to read as follows: 75-723. (a) There is hereby created in the office of the attorney general an abuse, neglect and exploitation of persons unit.

(b) Within the limits of available resources, the unit may, in the attorney general's discretion:

(1) Participate in the prevention, detection, review and prosecution of abuse, neglect and exploitation of persons, whether financial or physical;

(2) conduct investigations of suspected criminal abuse, neglect or exploitation of persons;

(3) coordinate with and assist other law enforcement agencies, or participate in task forces or joint operations, in the investigation of suspected criminal abuse, neglect or exploitation of persons;

(4) coordinate with and assist the medicaid fraud and abuse division established by K.S.A. 75-725, and amendments thereto, in the prevention, detection and investigation of abuse, neglect and exploitation of persons;

(5) work with or participate in the Kansas internet crimes against children task force, and work with any exploited and missing child investigators and any other child crime investigators;

(6) assist in any investigation of child abuse or neglect conducted by a law enforcement agency pursuant to K.S.A. 2020 Supp. 38-2226, and amendments thereto; ~~and~~

(7) assist in any investigation of adult abuse, neglect, exploitation or fiduciary abuse conducted by a law enforcement agency pursuant to K.S.A. 2020 Supp. 39-1443, and amendments thereto; ~~and~~

(8) assist in any investigation or discussion of any elder and dependent adult abuse multidisciplinary team pursuant to section 1, and amendments thereto.

(c) The unit shall give priority to preventing, detecting and investigating abuse, neglect or exploitation of adults who are senior citizens, disabled or otherwise vulnerable to abuse, neglect or exploitation.

(d) Except as provided by subsection (k), the information obtained and the investigations conducted by the unit shall be confidential as required by state or federal law. Upon request of the unit, the unit shall have access to all records of reports, investigation documents and written reports of findings related to substantiated or affirmed cases of abuse, neglect or exploitation of persons or cases in which the attorney general has reasonable suspicion to believe abuse, neglect or exploitation of persons has occurred which are received or generated by a state agency.

(e) Whenever a state agency reports a matter involving suspected abuse, neglect or

exploitation of an adult to a law enforcement agency or a county or district attorney, such state agency shall simultaneously forward such report to the unit.

(f) Except for reports alleging only self-neglect, a state agency receiving reports of abuse, neglect or exploitation of adults shall forward to the unit:

(1) Within 10 days of substantiation, reports of findings concerning the substantiated abuse, neglect or exploitation of adults; and

(2) within 10 days of such denial, each report of an investigation in which such state agency was denied the opportunity or ability to conduct or complete a full investigation of abuse, neglect or exploitation of adults.

(g) On or before the first day of the regular legislative session each year, the unit shall submit to the legislature a written report of the unit's activities, investigations and findings for the preceding fiscal year.

(h) The attorney general shall adopt rules and regulations as deemed appropriate for the administration of this section.

(i) No state funds appropriated to support the provisions of the unit and expended to contract or enter into agreements with any third party shall be used by a third party to file any civil action against the state of Kansas or any agency of the state of Kansas. Nothing in this section shall prohibit the attorney general from initiating or participating in any civil action against any party.

(j) The attorney general may contract or enter into agreements with other agencies or organizations to provide services related to the attorney general's duties under this section or to the investigation or litigation of findings related to abuse, neglect or exploitation of persons.

(k) Notwithstanding any other provision of law, nothing shall prohibit the attorney general or the unit from distributing or utilizing only that information obtained pursuant to a confirmed case of abuse, neglect or exploitation or cases in which there is reasonable suspicion to believe abuse, neglect or exploitation has occurred pursuant to this section with any third party under contract or agreement with the attorney general to carry out the provisions of this section.

(l) As used in this section:

(1) "Adult" means any person 18 years of age or older; and

(2) "state agency" means the Kansas department for children and families, Kansas department for aging and disability services or Kansas department of health and environment.

Sec. 10. K.S.A. 39-1438, 39-1441 and 75-723 and K.S.A. 2020 Supp. 39-1430, 39-1431, 39-1433 and 39-1443 are hereby repealed.";

On page 15, in line 13, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "the legislature" and inserting "elder and dependent persons; relating to the abuse thereof"; in line 2, after "force" by inserting ", a Kansas elder and dependent adult abuse multidisciplinary team coordinator and elder and dependent adult abuse multidisciplinary teams"; also in line 2 by striking "topics of study"; and inserting "requirements for"; in line 3, after "report" by inserting "to the legislature; requiring additional persons to report abuse, neglect or financial exploitation of adults; directing the neglect and exploitation of persons unit of the attorney general to assist in multidisciplinary team investigations; amending K.S.A. 39-1438, 39-1441 and 75-723 and K.S.A. 2020 Supp. 39-1430, 39-1431, 39-1433 and 39-1443 and

repealing the existing sections";

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

RICHARD HILDERBRAND  
 BEVERLY GOSSAGE  
 PAT PETTEY  
*Conferees on part of Senate*

SUSAN CONCANNON  
 CHARLOTTE ESAU  
 JARROD OUSLEY  
*Conferees on part of House*

On motion of Rep. Concannon, the conference committee report on **HB 2114** was adopted.

On roll call, the vote was: Yeas 115; Nays 7; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burris, Fairchild, Garber, Jacobs, Lee-Hahn, Poetter, Rhiley.

Present but not voting: None.

Absent or not voting: Helgerson, Howard, Victors.

#### EXPLANATION OF VOTE

MR. SPEAKER: I vote NO on **HB 2114** because if we really care about the abuse and neglect of our elderly we would address their captivity in the nursing homes that is happening as we speak to our loved ones all across Kansas. I am for the protection of our elders especially when abuse is present, but this is a political move to make us feel good about creating governmental programs. Let's put our money where our mouth is and pass legislation that would ensure our elders would never experience the isolation from their loved ones again. – TATUM LEE-HAHN

#### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **S Sub HB 2208** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House

Bill No. 2208, as follows:

On page 4, in line 14, after "(2)" by inserting "The department of health and environment shall submit to the United States centers for medicare and medicaid services any approval request necessary to implement this subsection.

(3) Such prospective payment system shall be implemented on or before May 1, 2022.

(d) (1)";

Also on page 4, in line 22, by striking "(3)" and inserting "(2)"; in line 24, by striking "(2)" and inserting "(1)";

On page 5, following line 33, by inserting:

"New Sec. 11. (a) As used in this section:

(1) "Eligible county" means a county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or Wyandotte county.

(2) "Hospital" means the same as defined in K.S.A. 65-425, and amendments thereto.

(3) "Transitional assistance" means any assistance related to changing a hospital's current healthcare delivery model to a model more appropriate for the community that the hospital serves, including, but not limited to: Conducting a market study of healthcare services needed and provided in the community; acquiring and implementing new technological tools and infrastructure, including, but not limited to, telemedicine delivery methods; and acquiring the services of appropriate personnel, including, but not limited to, additional medical residents or individuals trained to be needed healthcare professionals.

(b) (1) There is established the rural hospital innovation grant program to be administered by the secretary of health and environment. The program, and any grant awarded thereunder, shall be for the purpose of strengthening and improving the healthcare system and increasing access to healthcare services in eligible counties to help communities in such counties achieve and maintain optimal health by providing transitional assistance to hospitals in such counties. The secretary may award a rural hospital innovation grant to a county that applies in accordance with this section.

(2) The secretary of health and environment may award a grant under this section only if the amount of state moneys to be awarded in the grant has been matched by private stakeholders, including hospital foundations or other organizations, contributing to the secretary for the program, on a basis of \$2 of private stakeholder moneys for every \$1 of state moneys. The secretary of health and environment may receive moneys by bequest, donation or gift to fulfill the public-private match of moneys required under this paragraph. Any such moneys received shall be remitted to the state treasurer in accordance with 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 rural hospital innovation grant fund. A private stakeholder may certify to the secretary of health and environment that an amount of money is dedicated to the rural hospital innovation grant program. Such certified dedicated moneys shall remain with the private stakeholder until such time as the grant is awarded, and the secretary shall count such certified dedicated moneys to fulfill the public-private match required under this paragraph.

(3) A private stakeholder who has contributed moneys or certified dedicated moneys to the secretary of health and environment may specify a county to receive a

grant using such private stakeholder's moneys. If the secretary does not award a grant to the specified county in the same fiscal year as such request, the secretary shall return the amount of contributed moneys to the private stakeholder and any such certification shall lapse.

(4) Prior to applying for a rural hospital innovation grant, any eligible county may enter into memorandums of understanding and other necessary agreements with private stakeholders and other eligible counties.

(5) The board of county commissioners of an eligible county, or the board's designee, may apply to the secretary for a rural hospital innovation grant in the form and manner prescribed by the secretary of health and environment. Such application shall include:

(A) A description of the hospital for which the grant moneys will be expended, including the name and location of the hospital;

(B) a statement of the amount of grant moneys requested;

(C) a description of the needs of the hospital, the transitional assistance for which the grant moneys will be expended and how such transitional assistance will meet the stated needs;

(D) a certification that the hospital has exhausted all opportunities for federal moneys available to such hospital for transitional assistance purposes, including, but not limited to, any federal moneys related to COVID-19 relief that may be used for such purposes; and

(E) any other information that the secretary deems necessary to administer this section.

(6) Prior to awarding any grant moneys to an eligible county under this section, the secretary shall enter into a written agreement with the county requiring that the county:

(A) Expend any such grant moneys to provide transitional assistance to a hospital in the eligible county, as approved by the secretary;

(B) not later than one year after any such grant moneys are awarded, report to the secretary detailing the effect that such grant is having on health and other outcomes in the eligible county and the affected community;

(C) repay all awarded grant moneys to the secretary if the county fails to satisfy any material term or condition of the grant agreement; and

(D) any other terms and conditions that the secretary deems necessary to administer this section.

(7) No rural hospital innovation grant shall be awarded to provide transitional assistance to any hospital that has not exhausted all opportunities for federal moneys available to such hospital for transitional assistance purposes, including, but not limited to, any federal moneys related to COVID-19 relief that may be used for such purposes.

(c) (1) There is established in the state treasury the rural hospital innovation grant fund to be administered by the secretary of health and environment. All moneys credited to the fund shall be used only for purposes related to the rural hospital innovation grant program. All expenditures from the 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 secretary of health and environment or the secretary's designee.

(2) (A) Notwithstanding the provisions of chapter 1 of the 2020 Special Session Laws of Kansas or any other provision of law to the contrary, on June 15, 2021, the

director of the budget shall determine the amount of moneys received by the state that are identified as moneys from the federal government for aid to the state of Kansas for coronavirus relief as appropriated in the following acts that are eligible to be used for the purpose of awarding grants under this section, that may be expended at the discretion of the state in compliance with the United States office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards and that are unencumbered, including:

(i) The federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, public law 116-123, the federal families first coronavirus response act, public law 116-127, and the federal paycheck protection program and health care enhancement act, public law 116-139;

(ii) the federal consolidated appropriations act, 2021, public law 116-260;

(iii) the American rescue plan act of 2021, public law 117-2; and

(iv) any other federal law that appropriates moneys to the state for aid for coronavirus relief.

(B) Of the moneys identified in accordance with subparagraph (A), the director of the budget shall determine an aggregate amount equal to \$10,000,000 available in special revenue funds. If such identified moneys are less than \$10,000,000, the director of the budget shall determine the maximum amount available. The director of the budget shall certify the amount determined under this subparagraph from each fund to the director of accounts and reports. At the same time as such certification is transmitted, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(C) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer an aggregate amount equal to the certification received in accordance with subparagraph (B) from such funds to the rural hospital innovation grant fund. If such aggregate amount of moneys certified is less than \$10,000,000, the director of accounts and reports shall transfer from the state general fund to the rural hospital innovation grant fund the difference between \$10,000,000 and the amount certified.

(d) The secretary of health and environment shall adopt rules and regulations as necessary to implement and administer this section.

(e) (1) On or before October 1 of each year, for each rural hospital innovation grant awarded under this section, the county shall prepare and submit to the secretary of health and environment a report describing: The amount and stated purposes of any awarded grant moneys; the fulfillment of the terms and conditions of the grant agreement; and the transitional assistance upon which the moneys have been spent.

(2) On or before February 1 of each year, the secretary shall compile the information received under this subsection and submit a report to the governor and the legislature including such information and a description of and reasoning for any applications for a rural hospital innovation grant that the secretary has denied.

(f) (1) The rural hospital innovation grant program shall expire on June 30, 2025.

(2) On July 1, 2025:

(A) The director of accounts and reports shall transfer all moneys in the rural hospital innovation grant fund to the state general fund;

(B) all liabilities of the rural hospital innovation grant fund shall be transferred to and imposed on the state general fund; and

(C) the rural hospital innovation grant fund shall be abolished.";

On page 39, in line 39, 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 "to"; in line 12, after the semicolon by inserting "providing grant assistance to hospitals in certain counties; prescribing powers, duties and functions of the secretary of health and environment related thereto; establishing the rural hospital innovation grant program and rural hospital innovation grant fund;";

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

RICHARD HILDERBRAND

BEVERLY GOSSAGE

PAT PETTEY

*Conferees on part of Senate*

BRENDA LANDWEHR

JOHN EPLEE

BRETT PARKER

*Conferees on part of House*

On motion of Rep. Landwehr, the conference committee report on **HB 2208** was adopted.

On roll call, the vote was: Yeas 120; Nays 2; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Fairchild, Lee-Hahn.

Present but not voting: None.

Absent or not voting: Helgerson, Howard, Victors.

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2405** submits the following report:

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

On page 2, in line 26, by striking "3.75%" and inserting "4.3%";

On page 4, in line 18, by striking "statute book" and inserting "Kansas register";

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

RICK BILLINGER

J.R. CLAEYS

TOM HAWK

*CONFEREES ON PART OF SENATE*

STEVEN JOHNSON

CHRIS CROFT

CINDY NEIGHBOR

*Conferees on part of House*

On motion of Rep. S. Johnson, the conference committee report on **HB 2405** was adopted.

On roll call, the vote was: Yeas 112; Nays 10; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcala, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Awerkamp, Burris, Corbet, Fairchild, Garber, Houser, Jacobs, Lee-Hahn, Poetter, Rhiley.

Present but not voting: None.

Absent or not voting: Helgerson, Howard, Victors.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **S Sub for Sub HB 2196** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for Substitute for House Bill No. 2196, as printed with Senate Committee of the Whole amendments, as follows:

On page 2, in line 30, by striking "other" and inserting "non-legislative"; in line 43, by striking "rules and regulations" and inserting "policies";

On page 3, in line 7, by striking "committee" and inserting "council"; in line 11, by striking "committee" and inserting "council";

On page 4, in line 35, by striking all after "(i)"; by striking all in lines 36 through 43;

On page 5, by striking all in lines 1 through 3; in line 4, by striking all before the period and inserting "The staff of the legislative research department, the office of revisor of statutes and the division of legislative administrative services shall provide

such assistance as may be requested by the chairperson"; in line 12, by striking "30" and inserting "14";

On page 7, in line 2, by striking all after "labor"; by striking all in lines 3 and 4; in line 5, by striking all before the period and inserting "not later than December 31, 2022"; in line 6, after "council" by inserting ", upon consultation with the unemployment compensation modernization and improvement council established by section 1, and amendments thereto,";

On page 9, in line 38, after the period by inserting "The program shall be implemented on or before June 1, 2021."; in line 41, by striking "four" and inserting "three";

On page 10, in line 2, after the period by inserting "The claimant shall have seven days to respond to the secretary of commerce. The secretary of commerce shall report any failure to respond by the claimant to the secretary of labor."; in line 20, after "secretary" by inserting "of commerce and the secretary of labor"; in line 21, by striking ", including" and inserting "and share"; in line 24, after "secretary" by inserting "of commerce"; in line 25, by striking the second "claimant" and inserting "contact";

On page 11, by striking all in lines 24 through 43;

By striking all on page 12;

On page 13, by striking all in lines 1 through 4 and inserting:

"New Sec. 6. Notwithstanding the provisions of chapter 1 of the 2020 Special Session Laws of Kansas, any other statute, any appropriation act or any other provision of this act: (a) For the fiscal years ending June 30, 2021, and June 30, 2022, on or before July 15, 2021, the director of the budget shall determine the amount of moneys received by the state that are identified as moneys from the federal government for aid to the state of Kansas for coronavirus relief as appropriated in the following acts that are eligible to be used for employment security, may be expended at the discretion of the state, in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: (1) The federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, and the federal paycheck protection program and health care enhancement act, public law 116-139; (2) the federal consolidated appropriations act, 2021, public law 116-260; (3) the American rescue plan act of 2021, public law 117-2; and (4) any other federal law that appropriates moneys to the state for aid for coronavirus relief. If the state receives any such moneys from the federal government for aid to the state of Kansas for coronavirus relief after July 15, 2021, the director of the budget shall also identify such moneys for the purposes of fulfilling the transfers required by this section.

(b) Of such identified moneys, the director of the budget shall determine in the aggregate an amount equal to \$250,000,000 available in special revenue funds. If such identified moneys in the aggregate are less than \$250,000,000, the director of the budget shall determine the maximum amount available. The director of the budget shall certify the amount so determined from each fund to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of legislative research. Upon receipt of each such certification, or as soon thereafter as moneys are available,

the director of accounts and reports shall immediately transfer an aggregate amount equal to such certification and in the aggregate, an amount equal to \$250,000,000 if available from such funds to the employment security fund (296-00-7056-7200) of the department of labor for the purpose of funding the employment security fund.

(c) Of such identified moneys, the director of the budget shall further determine in the aggregate an additional amount equal to \$250,000,000 available in special revenue funds. If such identified moneys in the aggregate are less than \$250,000,000, the director of the budget shall determine the maximum additional amount available. The director of the budget shall certify the amount so determined from each fund to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of legislative research. Upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount equal to such certification and in the aggregate, an amount equal to \$250,000,000 if available from such funds to the legislature employment security fund of the legislative coordinating council.

(d) Upon a determination of the dollar amount of improper payments by the audit of the department of labor in accordance with section 1(g), and amendments thereto, the unemployment compensation modernization and improvement council shall report such dollar amount immediately in writing to the division of the budget. Upon receipt of such report, the director of the budget shall certify the dollar amount identified by the audit and transmit a copy of such report and certification to members of the legislative coordinating council and the director of legislative research.

(e) If the amount of improper payments determined by such audit or the amount of any improper payments made during April 1, 2022, through December 31, 2022, as determined by the secretary following the review of the information as provided in K.S.A. 44-710b(e), and amendments thereto, or both such amounts added together, exceed the amounts transferred pursuant to subsections (b) and (c), the secretary shall certify such amount to the director of the budget. The director of the budget shall certify the amount of additional moneys identified under subsection (a) determined to be available from each fund to the director of accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to members of the legislative coordinating council and the director of legislative research. Upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer an aggregate amount equal to such certification if available from such funds to the legislature employment security fund of the legislative coordinating council.

(f) Upon receipt of any reports or certifications, the legislative coordinating council shall notify the legislative budget committee and forward a copy of such information to the committee. The legislative budget committee shall meet and review such information and shall report such committee's recommendation to the legislative coordinating council. After receiving recommendations from the legislative budget committee, the legislative coordinating council may authorize the transfer moneys in an amount not to exceed the amounts certified of improper payments from the legislature

employment security fund to the employment security fund of the department of labor. Such transfers may be approved by the members of the legislative coordinating council, as provided in K.S.A. 46-1202, and amendments thereto, acting on this matter, which is hereby characterized as a matter of legislative delegation, except that such transfers may also be approved while the legislature is in session.

(g) There is hereby established in the state treasury the legislature employment security fund which shall be administered by the legislative coordinating council. All expenditures from the legislature employment security fund shall be for the purposes of funding the employment security fund for improper payments. All expenditures from the legislature employment security 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 chairperson of the legislative coordinating council or the designee of the chairperson.

(h) As used in this act, "improper payment amounts" or "improper payments" means any payment that should not have been made or that was made in an incorrect amount under statutory, contractual, administrative or other legally applicable requirements and includes any payment to an ineligible recipient.";

Also on page 13, following line 42, by inserting:

"New Sec. 8. During the fiscal years ending June 30, 2021, and June 30, 2022, on the effective date of this act, no state agency named in this or other appropriation act of the 2021 regular session of the legislature shall expend any moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal years 2021 and 2022 as authorized by chapter 5 of the 2020 Session Laws of Kansas or any appropriation act of the 2021 regular session of the legislature for the purposes of entering into a contract or agreement with any party to make any changes, improvements or upgrades to the technology infrastructure for claims, benefits and system integrity or to the methods for information and data sharing concerning Kansas unemployment benefits unless and until: (a) The unemployment compensation modernization and improvement council, created by section 1, and amendments thereto, has reviewed the information technology system, technology and platform specifications pursuant to the provisions of section 2, and amendments thereto, and made a recommendation to the legislative coordinating council; and (b) the legislative coordinating council has reviewed any such specifications and any such recommendations. Such legislative coordinating council review shall take place within 60 days of the last date of accepting bids on the modernization project. After the requesting state agency receives a report from the legislative coordinating council regarding such council's review, such state agency is authorized to expend all approved moneys lawfully credited to and available in such fund or funds during the fiscal years ending June 30, 2021, and June 30, 2022.

New Sec. 9. Notwithstanding the provisions of K.S.A. 75-37,102(b), and amendments thereto, for the purposes of selecting a vendor to perform the unemployment insurance modernization project authorized by section 2, and amendments thereto, the procurement negotiating committee shall be composed of: (a) The director of purchases, or a person designated by the director; (b) the chairperson of the joint committee on information technology pursuant to the provisions of K.S.A. 46-

2101, and amendments thereto; and (c) the secretary of administration, or a person designated by the secretary or, if a procurement involves information technology or services, the executive chief information technology officer or a person designated by the executive chief information technology officer.

New Sec. 10. (a) The secretary of labor shall develop a form for use by claimants to establish their identity before a law enforcement officer of a Kansas law enforcement agency for the purpose of facilitating the receipt of unemployment insurance benefits. The form may be in electronic or paper format and may be transmitted or processed in electronic format if safeguards are made to protect any confidential information of the claimant. Use of the form by a claimant shall not be a requirement to receive unemployment benefits. The form shall be distributed to participating law enforcement agencies upon request and shall be provided to claimants at the time a claim for benefits is submitted. The form shall also be made readily available on the department of labor's website. The form shall be no more than one page in length, include space for the claimant's name, address, phone number if any, email address if any, date of birth and social security number and include instructions for the use of the form for the claimant and the law enforcement agency. The form shall specify permitted identity verification documentation that may be submitted to the law enforcement officer by the claimant to establish the claimant's identity. The permitted forms of identity verification documentation shall be documents to establish identity or documents to establish both identity and employment authorization acceptable for federal form I-9, employment eligibility verification, pursuant to 8 C.F.R. 274a.2 as in effect on the effective date of this act. The form shall be developed and made available within seven days of the effective date of this act. Law enforcement agencies shall not be required to participate in the provisions of this section.

(b) Upon receipt of the form, a claimant may present the form to a participating law enforcement agency with jurisdiction over the location of the claimant's residence or last known place of employment in Kansas and submit documentation as required by the form for verification by the law enforcement agency. The claimant may present the form to a participating law enforcement agency that does not have jurisdiction over the location of the claimant's residence or last known place of employment if no law enforcement agency with such jurisdiction has agreed to participate and the secretary has approved such submission. If a law enforcement officer of the law enforcement agency examines and finds the documentation submitted by the claimant valid and sufficient to establish the claimant's identity, the law enforcement officer shall complete or verify the form and the law enforcement agency shall submit the form to the department of labor as provided by the instructions.

(c) The secretary shall presume a claimant's identity has been confirmed for purposes of the employment security law upon submission of a properly completed form to the secretary by the law enforcement agency on behalf of the claimant. The presumption may be overcome by direct and credible information to the contrary.

(d) The law enforcement officer, law enforcement agency, the state or any political subdivision of the state that employs a law enforcement officer providing identity verification as provided by this section for the department of labor, shall have immunity from any civil or criminal liability for such verification action if the law enforcement

officer acts in good faith and exercises due care. Participation and verification of a claimant's identity as provided by this section by a law enforcement agency or law enforcement officer shall constitute a discretionary function or duty for purposes of the Kansas tort claims act.

(e) This section shall be a part of and supplemental to the employment security law.";

On page 51, in line 9, after the first "for" by inserting "a";

On page 83, in line 15, after "(b)" by inserting "(1)"; in line 20, by striking "(c)" and inserting "(2)"; in line 21, after the second comma by inserting "to";

On page 91, in line 12, after "were" by inserting "an improper payment or";

On page 92, in line 37, by striking "unemployment insurance" and inserting "employment security";

On page 100, in line 17, by striking "2" and inserting "5"; in line 20, by striking all after "person"; in line 21, by striking "nation,";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the semicolon by inserting "membership of the procurement negotiating committee for such system;"; in line 21, after the semicolon by inserting "providing for voluntary identity verification by claimants through participating law enforcement agencies; creating the legislative employment security fund;";

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

ROB OLSON

MARK STEFFEN

TOM HOLLAND

*Conferees on part of Senate*

SEAN TARWATER

MARTY LONG

STEPHANIE CLAYTON

*Conferees on part of House*

On motion of Rep. Tarwater, the conference committee report on **S Sub for Sub HB 2196** was adopted.

On roll call, the vote was: Yeas 122; Nays 0; Present but not voting: 0; Absent or not voting: 3.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A.,

Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Helgerson, Howard, Victors.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2143** submits the following report:

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

On page 11, following line 20, by inserting:

"(iii) "Nonprofit integrated community care organization" means an entity that is:

(1) Exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(2) certified to participate in the medicare program as a hospice under 42 C.F.R. § 418 et seq. and focused on providing care to the aging and indigent population at home and through inpatient care, adult daycare or assisted living facilities and related facilities and services across multiple counties; and

(3) approved by the Kansas department for aging and disability services as an organization providing services under the program of all-inclusive care for the elderly as defined in 42 U.S.C. § 1396u-4 and regulations implementing such section.";

Also on page 11, in line 41, by striking the first "or" and inserting a comma; also in line 41, by striking the second "or" and inserting a comma; in line 42, after "bank" by inserting "or nonprofit integrated community care organization"; also in line 42, by striking "or" and inserting a comma; in line 43, by striking the first "or" and inserting a comma; also in line 43, after "bank" by inserting "or nonprofit integrated community care organization";

On page 48, in line 34, by striking all after the semicolon; in line 39, after "form" by inserting "; and

(nnnn) all sales of tangible personal property or services purchased by friends of hospice of Jefferson county, an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the purpose of providing support to the Jefferson county hospice agency in end-of-life care of Jefferson county families, friends and neighbors, and all sales of entry or participation fees, charges or tickets by friends of hospice of Jefferson county for such organization's fundraising event for such purpose";

Also, on page 48, in line 40, by striking "2022" and inserting "2024";

On page 49, in line 38, by striking "\$15,000" and inserting "\$1,000"; in line 40, by striking "\$25,000" and inserting "\$5,000"; in line 43, by striking "\$25,000" and inserting "\$5,000";

On page 50, in line 15, before "Determinations" by inserting "When the total tax liability exceeds \$50,000 in any calendar year, the retailer shall be required to pay the sales tax liability for the first 15 days of each month to the director on or before the 25<sup>th</sup> day of that month. Any such payment shall accompany the return filed for the preceding

month. A retailer will be considered to have complied with the requirements to pay the first 15 days' liability for any month if, on or before the 25<sup>th</sup> day of that month, the retailer paid 90% of the liability for that 15-day period or 50% of such retailer's liability in the immediately preceding calendar year for the same month as the month in which the 15-day period occurs computed at the rate applicable in the month in which the 15-day period occurs, and, in either case, paid any underpayment with the payment required on or before the 25<sup>th</sup> day of the following month. Such retailers shall pay their sales tax liabilities for the remainder of each such month at the time of filing the return for such month."; in line 40, by striking "2022" and inserting "2024";

On page 1, in the title, in line 5, after the first semicolon, by inserting "defining nonprofit integrated community care organizations and providing an exemption therefor; providing an exemption for friends of hospice of Jefferson county;" in line 6, by striking all after the semicolon; in line 7, by striking all before "amending";

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

CARYN TYSON  
LARRY ALLEY  
TOM HOLLAND

*Conferees on part of Senate*

ADAM SMITH  
LES MASON  
JIM GARTNER

*Conferees on part of House*

On motion of Rep. A. Smith, the conference committee report on **HB 2143** was adopted.

On roll call, the vote was: Yeas 118; Nays 3; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Xu.

Nays: W. Carpenter, Fairchild, S. Johnson.

Present but not voting: None.

Absent or not voting: Helgerson, Howard, Victors, Woodard.

**MESSAGE FROM THE SENATE**

Announcing adoption of **SCR 1613**.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate Current Resolution was thereupon introduced and read by title:  
**SCR 1613**

On emergency motion of Rep. Hawkins, **SCR 1613** was introduced and adopted.

**SENATE CONCURRENT RESOLUTION No. SCR 1613**

By Senators Masterson, Wilborn and Sykes

A CONCURRENT RESOLUTION relating to the adjournment of the Senate and House of Representatives for a period of time during the 2021 regular session of the legislature.

*Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected to the Senate and two-thirds of the members elected to the House of Representatives concurring therein:* That the legislature shall adjourn at the close of business of the daily session convened on April 9, 2021, and shall reconvene at 10:00 a.m. on May 3, 2021; and

*Be it further resolved:* That the legislature may adjourn and reconvene at any time during the period on and after May 3, 2021, through May 11, 2021, but the legislature shall adjourn not later than the close of business on May 11, 2021; and

*Be it further resolved:* That the legislature shall reconvene at 10:00 a.m. on May 26, 2021, at which time the legislature shall continue in session and shall adjourn sine die at the close of business on May 26, 2021; and

*Be it further resolved:* That the secretary of the senate and the chief clerk of the house of representatives and employees specified by the director of legislative administrative services for such purpose shall attend to their duties each day during such period of adjournment, Sundays excepted, for the purpose of receiving messages from the governor and conducting such other business as may be required; and

*Be it further resolved:* That members of the legislature shall not receive the per diem compensation and subsistence allowances provided for in K.S.A. 46-137a(a) and (b), and amendments thereto, for any day within a period in which both houses of the legislature are adjourned for more than two days, Sundays excepted; and

*Be it further resolved:* That members of the legislature attending a legislative meeting of whatever nature when authorized pursuant to law, or by the Legislative Coordinating Council, the President of the Senate or the Speaker of the House of Representatives, and members of a conference committee attending a meeting of the conference committee authorized by the President of the Senate and the Speaker of the House of Representatives during any period of adjournment for which members are not authorized compensation and allowances pursuant to K.S.A. 46-137a, and amendments thereto, shall receive compensation and travel expenses and subsistence expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto.

**REPORT ON ENGROSSED BILLS**

**HB 2243** reported correctly engrossed April 9, 2021.

**HB 2066, HB 2401** reported correctly re-engrossed April 9, 2021.

**REPORT ON ENROLLED BILLS**

**HB 2071, HB 2085, HB 2101, HB 2104, HB 2165, HB 2167, HB 2245, HB 2247, HB 2379** reported correctly enrolled, properly signed and presented to the Governor on April 9, 2021.

On motion of Rep. Hawkins, the House adjourned until 10:00 a.m., Monday, May 3, 2021.

# Journal of the House

## SIXTIETH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, May 3, 2021, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 123 members present.

Rep. Bishop was excused on excused absence by the Speaker.

Present later: Rep. Carmichael.

Prayer by Chaplain Brubaker:

Gracious Loving God and Father,  
thank You for this new day and new week  
after what hopefully has been a restful and refreshing break.  
As our leaders come together for the last few days of this session,  
there is much more that needs to be accomplished.  
As they continue to address the serious issues of our state,  
give each a spirit of congeniality, a willingness to listen,  
an attitude of positivity, a sense of hope, and most importantly  
patience and respect for one another.  
This can only occur if they allow You to guide them in  
thought, action and speech.  
I pray they will seek Your help and Your will in all they do.  
This I pray in Your Name, Amen.

The Pledge of Allegiance was led by Rep. Finch.

### **PERSONAL PRIVILEGE**

There being no objection, the following remarks of Rep. Dodson are spread upon the Journal:

Rep. Dodson announced the induction of Representative Ron Highland into The United States Army Officer Candidate School Hall of Fame and was joined by Rep. Highland.

Ron Highland, Representative for District 51 will receive a rare recognition from the US Army. Over the years, some officers who have accomplished significant achievements both in the Army and in civilian life have been given special awards. To receive this recognition, one must be nominated by their peers and then approved.

Members of Representative Ron Highland's Army Infantry Officer Candidate School (OCS) class nominated him to be inducted into the United States Army Officer Candidate School Hall of Fame. The award was conferred upon Captain Highland by Major General Gary M. Britto, US Army Commanding General on May 4, 2020 at Fort

Benning, Georgia. The induction ceremony for Captain Highland will be held a year later at the Kansas Statehouse on Monday, May 3, 2021 at 9:00 a.m. in the Old Supreme Court Room. Ron accepts this induction in honor of his classmates and those who gave their lives in service to their country.

In 1966 Ron entered the US Army and attended Infantry Officer Candidate School in Fort Benning, Georgia and earned his commission as a Second Lieutenant. Ron was sent to Korea and was assigned as a Platoon Leader in the 2nd of the 9" Infantry (Manchu). This was during the period when the US Navy ship Pueblo and all its crew were captured by the North Koreans. This event could easily have led to wide-spread armed conflict between the US and North Korea. During this time of increased tension, it became clear to him that his troops might become the expendable force. Ron was wounded and some gave their lives in the crossfire. Later he was given the task of helping develop the critical plan for the safe return of the prisoners from North Korea down through the DMZ and to South Korea.

During his first enlistment in the Army he was stationed at Fort Leonard Wood, Fort Ord, Fort Benning, and Fort Riley. He next attended Kansas State University, completing two degrees, B.S. and D.V.M., and entered private practice, principally with large animals. Ron reenlisted to serve in the Army Veterinary Corps as Chief of the Veterinary branch at Fort Sill, Oklahoma. That included taking care of the famous field artillery half-section with about 10 horses. He returned to Kansas State University to complete his PhD in Physiology/Pharmacology, while teaching in the Veterinary School.

After his advanced studies, he moved to a career designing research studies for new animal drugs in North America and Europe as Manager, Pharmacology Development for Bayer Animal Health for 20 years. During that time, he brought Baytril®, a drug well known for the treatment of cattle, onto the market and led other international studies. His research studies were the first in the US designed to use advanced computerized submissions to the FDA.

Upon his retirement from veterinary work, he felt called back to serve his country. He was elected to the Kansas House of Representatives 51st District in 2013 and is serving his fifth term. During his tenure in the Statehouse, he has chaired five committees, been vice chair of four committees, and a member of ten committees. Numerous pieces of legislation that he has authored have passed the legislature. He was the first to successfully design a transparent computerized system for the legislature to house testimonies and document files for easy access by the public and those in the legislature.

He is a member of professional and service organizations and serves in his local church. Ron grew up in Brewster, Kansas. He and Linda (Mayer) from Marysville have been married for fifty-one years and have a daughter and son, and five grandchildren. They live in the Wamego area and enjoy rural life overlooking the activities along the Kansas River.

Rep. Highland addressed the Body and shared his appreciation for receiving this award.

## **MESSAGE FROM THE GOVERNOR**

The following message with the Governor's objection to **HB 2039**, AN ACT concerning education; relating to courses of instruction; requiring a civics examination and a personal financial literacy course for high school graduation; amending K.S.A.

72-3217 and 72-3236 and repealing the existing sections. was received and read.

**MESSAGE FROM THE GOVERNOR  
REGARDING VETO OF HOUSE BILL 2039**

The Kansas Constitution endows our state Board of Education with the authority to set the curriculum for our public schools. We should let the state Board of Education do that job, not the Legislature. This is legislative overreach. Should the Legislature wish to modify curriculum, I encourage the Legislature to collaborate with the State Board of Education.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2039.

Dated: April 22, 2021

LAURA KELLY  
*Governor of Kansas*

**MESSAGE FROM THE GOVERNOR**

The following message with the Governor's objection to **HB 2089**, AN ACT concerning education; relating to firearms; standardizing firearm safety education training programs in school districts; establishing the Roy'Al act. was received and read.

**MESSAGE FROM THE GOVERNOR  
REGARDING VETO OF HOUSE BILL 2089**

The Kansas Constitution endows our state Board of Education with the authority to set the curriculum for our public schools. We should let the state Board of Education do that job, not the Legislature. This is legislative overreach. Should the Legislature wish to modify curriculum, I encourage the Legislature to collaborate with the State Board of Education.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2089.

Dated: April 22, 2021

LAURA KELLY  
*Governor of Kansas*

**MESSAGE FROM THE GOVERNOR**

The following message with the Governor's objection to **HB 2058**, AN ACT concerning crimes, punishment and criminal procedure; relating to firearms; reducing the underlying felonies for the crime of criminal possession of a weapon by a convicted felon; restoration of the right to possess firearms upon expungement of convictions; recognition of licenses under the personal and family protection act issued by other

jurisdictions; creating a provisional license for persons under the age of 21; authorizing the issuance of alternative license during certain circumstances; amending K.S.A. 75-7c02, 75-7c03 , 75-7c04, 75-7c05, 75-7c08 and 75-7c21 and K.S.A. 2020 Supp. 21-5914, 21-6301, 21-6302, 21-6304, 21-6309, 21-6614 and 32-1002 and repealing the existing sections. was received and read.

**MESSAGE FROM THE GOVERNOR  
REGARDING VETO OF HOUSE BILL 2058**

Throughout my time in public office, I have been a strong supporter of the Second Amendment and of Kansans' right to own firearms.

But we can respect and defend the rights of Kansas gun owners while also taking effective steps to keep our children and families safe. Legislation that allows more guns on campus is neither safe nor effective, and it will drive prospective students away from our schools.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2058.

Dated: April 23, 2021

LAURA KELLY  
*Governor of Kansas*

**MESSAGE FROM THE GOVERNOR**

The following message with the Governor's objection to **HB 2166**, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Braden's hope for childhood cancer, proud educator, delta sigma theta, Gadsden flag, love, Chloe foundation and alpha kappa alpha distinctive license plates; providing distinctive license plates for current and veteran members of the United States army, navy, marine corps, air force, coast guard and space force; modifying requirements to begin production on distinctive license plates; requiring reporting by sponsoring organizations of income and expenditures derived from certain distinctive license plate fees; establishing a fee for firefighter license plates; allowing certain license plates issued by the division of vehicles to be personalized license plates; amending K.S.A. 2020 Supp. 8-132, 8-1,141, 8-1,142, 8-1,147 and 8-1,155 and repealing the existing sections. was received and read.

**MESSAGE FROM THE GOVERNOR  
REGARDING VETO OF HOUSE BILL 2166**

As long as I'm governor, I will do everything in my power to ensure that Kansas remains welcoming and inclusive. The Gadsden flag has become, over time, a symbol of racism and divisiveness. By inserting the Gadsden provision into an otherwise positive piece of legislation, the Legislature ensured a veto.

Should the original bill be passed and sent to my desk, I will sign it.

Under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2166.

Dated: April 23, 2021

LAURA KELLY  
*GOVERNOR OF KANSAS*

### MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2183**, AN ACT concerning elections; creating the transparency in revenues underwriting elections act; prohibiting the receipt and expenditure of private moneys by election officials; directing the secretary of state to publish certain registered voter totals; relating to advance voting ballots; requiring signed statements for delivery of such ballots on behalf of a voter; limiting the number of such ballots that can be delivered; prohibiting the altering or backdating of the mailing date on such ballots; requiring a matching signature on such ballots; removing the secretary of state's authority to provide additional time for receipt of such ballots; prohibiting candidates for office from engaging in certain conduct related to advance voting ballots; creating the crime of false representation of an election official; expanding the crime of electioneering; penalties for violations; amending K.S.A. 2020 Supp. 25-1124, 25-1128, 25-1132 and 25-2430 and repealing the existing sections; also repealing K.S.A. 25-608. was received and read.

### MESSAGE FROM THE GOVERNOR REGARDING VETO OF HOUSE BILL 2183

Although Kansans have cast millions of ballots over the last decade, there remains no evidence of significant voter fraud in Kansas. This bill is a solution to a problem that doesn't exist. It is designed to disenfranchise Kansans, making it difficult for them to participate in the democratic process, not to stop voter fraud.

We also know what happens when states enact restrictive voting legislation. Hundreds of major companies across the nation have made it abundantly clear that this kind of legislation is wrong. Antagonizing the very businesses Kansas is trying to recruit is not how we continue to grow our economy.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto Senate Substitute for House Bill 2183.

Dated: April 23, 2021

LAURA KELLY  
*Governor of Kansas*

### MESSAGE FROM THE GOVERNOR

The following message with the Governor's objection to **HB 2332**, AN ACT concerning elections; relating to the conduct of elections; providing for the appointment and duties of certain elected officials; amending K.S.A. 73-213, 73-214, 73-215, 73-218

and 73-219 and K.S.A. 2020 Supp. 25-1122 and 25-2423 and repealing the existing sections. was received and read.

**MESSAGE FROM THE GOVERNOR  
REGARDING VETO OF HOUSE BILL 2332**

Although Kansans have cast millions of ballots over the last decade, there remains no evidence of significant voter fraud in Kansas. This bill is a solution to a problem that doesn't exist. It is designed to disenfranchise Kansans, making it difficult for them to participate in the democratic process, not to stop voter fraud.

We also know what happens when states enact restrictive voting legislation. Hundreds of major companies across the nation have made it abundantly clear that this kind of legislation is wrong. Antagonizing the very businesses Kansas is trying to recruit is not how we continue to grow our economy.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2332.

Dated: April 23, 2021

LAURA KELLY  
*GOVERNOR OF KANSAS*

**MESSAGE FROM THE GOVERNOR**

The following message with the Governor's objection to **HB 2007**, AN ACT making and concerning appropriations for fiscal years ending June 30, 2021, June 30, 2022, June 30, 2023, and June 30, 2024, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 75-4209, 75-6702 and 75-6706 and K.S.A. 2020 Supp. 2-223, 12-1775a, 12-5256, 55-193, 65-180, 72-5462, 74-50,107, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections., was received and read.

Sections 4(b), 29(d), 30(c), 31(a), 69(j), 70(i), 71(a), 72(a), 84(a), 84(t), 84(w), 85(a), 101(a), 103(d), 104(d), 121(a), 121 (f), 122(h), 140, 141, 142, 143 and 163(a); portions of sections 30(a), 80(e) and 87(a)

**MESSAGE FROM THE GOVERNOR  
REGARDING HOUSE BILL 2007**

I want to thank the legislature for working together thoughtfully and expeditiously to pass this budget, which includes many enhancements to the work we began before the pandemic to restore funding through fiscally responsible tax and budget policy. There is still more work to be done, however, this budget includes significant funding to support some of the most vulnerable Kansans, including those in long-term care and those with intellectual disabilities. It also increases access to newborn screening, preventive mental health, and crisis services.

While I support the majority of the provisions in this budget, there are items that have either been resolved in existing legislation or that would be better addressed not in this budget but through better collaboration between agencies and stakeholders. Other provisions tie funding mandates or prohibitions to blanket policies that should be either more narrowly tailored or independently vetted on their own merits through the regular legislative process.

I look forward to working with the legislature to address the critical funding measures that must be passed during Omnibus. These include our constitutional obligation to adequately and equitably fund our K-12 public schools, salary increases for state employees, and restored funding for state agencies whose budgets were reduced as a precautionary measure due to the COVID-19 pandemic.

Therefore, pursuant to Article 2, Section 14(b) of the Constitution of the State of Kansas, I hereby return House Bill 2007 with my signature approving the bill, except for the items enumerated below.

**State Bank Commissioner—Per Diem Increase for Kansas Banking Board Members**

Section 4(b) has been line-item vetoed in its entirety.

This section would increase the per diem for members of the state banking board from \$35 to \$100 for the 2021 fiscal year, which ends in less than 70 days. The legislature should study this issue over the interim and make recommendations applicable to all boards and commissions. These recommendations should consider the fiscal impact of potential increases.

**Legislative Coordinating Council—Room 221-E**

Sections 29(d) and 31(a) have been line-item vetoed in their entirety. Additionally, the following portion of section 30(a) has also been vetoed:

Provided further, That notwithstanding the provisions of K.S.A. 75-3765a, and amendments thereto, or any other statute, expenditures shall be made by the above agency from the legislative coordinating council – operations account of the state general fund for fiscal year 2022 for the designation and identification of room 221-E of the state capitol building as a meditation room.

These sections would designate Room 221-E as the meditation room in the Statehouse. I support legislative efforts to provide a meditation space in one of the many rooms in the Capitol that remain unused for much of the year and are more convenient, more accessible, and closer to the public entrance.

Room 221-E, which is adjacent to the rest of the Governor's Office and has been designated as part of the Governor's Office space in the Statehouse, is currently being used by our constituent services team to provide critical assistance to Kansans on unemployment issues, proclamations, questions regarding legislative matters, and other

inquiries.

### **Legislative Coordinating Council—Federal Coronavirus Relief Funding**

Section 30(c) has been line-item vetoed in its entirety.

This section would require recommendation by the Legislative Budget Committee and approval by the Legislative Coordinating Council before any federal coronavirus relief funds can be spent. The process for allocating federal funds should follow the agreed-upon process of approval through the State Finance Council after recommendation from the SPARK Taskforce. This will ensure that federal funds are allocated with a full understanding of the relevant federal requirements and limitations while receiving input from the private sector through a transparent process. Changing this now will create confusion and slow down the ability to make meaningful investments critical to our economic recovery.

### **Department of Commerce—Public Broadcasting Facility Relocation**

Sections 69(j), 70(i), 71(a), and 72(a) have been line-item vetoed in their entirety.

These sections would prohibit any appropriation from the state economic development initiatives fund to a public broadcasting station that moved to a different location or has a plan to move to a different location. It has been brought to my attention that this language was broader than intended. Please work with interested parties to agree to language that is more narrowly tailored.

### **Department for Health and Environment – Division of Health Care Finance—Protected Income Level for the Program of All-Inclusive Care for the Elderly (PACE)**

That portion of Section 80(e) that reads as follows has been line-item vetoed:

(2) 300% of federal supplemental security income for any person in Kansas receiving services from a program of all-inclusive care for the elderly administered by the Kansas department of aging and disability services.

This would increase the protected income level for those who are in the PACE program above Kansans who are served under section 1915(c) of the federal Social Security Act. When I signed House Substitute for Senate Bill 25 in 2019, I approved an increase to the protected income level for both groups to \$1,177 per month, which is reflected in rules and regulations. The protected income level should continue to be addressed in a comprehensive manner.

### **Kansas Department for Aging and Disability Services—Moratoriums at State Psychiatric Hospitals**

Sections 84(s) and 85(a) have been line-item vetoed in their entirety.

These sections would prohibit the Kansas Department for Aging and Disability Services from making any expenditures that would impose a moratorium on admissions at any

state psychiatric hospital from the effective date of this act through June 30, 2023. It would also require KDADS to lift the moratorium by October 1, 2021, using existing resources.

I have worked with the legislature to include funding in last year's budget for a comprehensive plan to safely and efficiently lift the moratorium. The COVID-19 pandemic delayed certain building activities in that plan, pushing the expected completion date to the beginning of 2022. This proviso simply lifts the moratorium earlier than is possible, without any feasible re-opening plan or funding. This will force the agency to pay higher costs for contract staff and an expedited construction timeline. I am committed to lifting the moratorium, but we should do so in a way that doesn't endanger staff or patients or lead to high one-time costs that can be avoided through a more fiscally responsible approach.

**Kansas Department for Aging and Disability Services—Request for Proposals for the Program of All-Inclusive Care for the Elderly (PACE)**

Section 84(t) has been line-item vetoed in its entirety.

This section would require the Kansas Department of Aging and Disability Services to issue a request for proposals from potential providers interested in participating in the PACE program.

If this is a priority for the Legislature, additional funding should be appropriated in the omnibus budget bill to expand the PACE program rather than simply requiring a request for proposals. Given the current language of this proviso, funding for expanding PACE would require an offset in funding from existing resources and initiatives. As a long-time supporter of the PACE program, I understand that it can provide long-term savings, but that should be acknowledged with a comprehensive funding plan that offsets initial costs.

**Kansas Department for Aging and Disability Services—Larned State Hospital and Larned Correctional Mental Health Facility Pay Parity**

Section 84(w) has been line-item vetoed in its entirety.

This provision would require the Kansas Department for Aging and Disability Services to provide the same starting salary and wages for entry-level positions at Larned State Hospital as are provided at the Larned Correctional Mental Health Facility using existing resources. If this is a priority for the Legislature, the Legislature should appropriate additional funding for the agency to implement higher entry-level salary and wages.

**Kansas Department for Children and Families—Hope Ranch Pilot Program**

That portion of Section 87(a) that reads as follows has been line-item vetoed:

Provided further, That in addition to other purposes for which expenditures may be made by the above agency from the youth services aid and assistance

account for fiscal year 2022, an amount not to exceed \$300,000 shall be expended by the above agency from such account for fiscal year 2022 for the purposes of funding the hope ranch for women pilot program: And provided further, That in addition to other purposes for which expenditures may be made by the above agency from such account for fiscal year 2022, expenditures shall be made by the above agency from such account for fiscal year 2022 for the creation of a report detailing activities conducted during the hope ranch for women pilot program, including the number of women served, the demographics of women served, the client service needs at intake, the length of services, the reasons for any cases closing, the recidivism rate, the client costs and the average project costs, and a budget itemization report and budget transaction report: And provided further, That the secretary for children and families shall submit such report to the house of representatives committee on social services budget on or before January 31, 2022.

This language would require the Department for Children and Families to provide up to \$300,000 of public funds to the Hope Ranch for Women organization. My administration has a strong record of supporting organizations combating human trafficking through competitive grants and other programs that ensure accountability of public funding. If the Legislature wishes to establish a new program to provide more funding to organizations doing this critical work, it should send a fully vetted piece of legislation to my desk after thorough legislative, stakeholder, and public review.

#### **Kansas State University—Polytechnic Campus**

Section 101(a) has been line-item vetoed in its entirety.

This allocation would allocate \$160,080 to the Kansas State University Polytechnic campus with the stated justification that it is intended to reimburse the campus for revenue that was received by the Kansas Public Employees Retirement System from the sale of surplus property under K.S.A. 75-6609(f)(1). If the Legislature wants to create a different distribution formula for proceeds from the sale of surplus real estate, then it should amend the statute to do so for all state agencies and not provide an exception to the statute for the sale of surplus property by one entity. If this is intended to be an enhancement for Kansas State University Polytechnic Campus, then it should apply for such an enhancement through the normal process.

#### **Kansas State University Extension Systems and Agricultural Research Programs—4-H Micromanagement**

Sections 103(d) and 104(d) have been line-item vetoed in their entirety.

These sections would prohibit any expenditures by Kansas State University or Kansas State University Extension Systems and Agricultural Research Programs that would require participants to wear face coverings or have a COVID-19 vaccination to

participate in any 4-H organization, unit, event, or activity. Most children eligible to participate in 4-H are not eligible to receive the COVID-19 vaccine, much less be required to take it. During the pandemic, many involved in 4-H have demonstrated commitment and leadership in protecting the health of their communities and family and we should commend them for their efforts.

**Kansas Highway Patrol—Aircraft Trade-In and Purchase of Single-Engine Aircraft**

Sections 121(a) and 121(f) have been line-item vetoed in their entirety.

This section requires the Kansas Highway Patrol to trade in two aircraft and allows it to purchase one aircraft. My budget provided comprehensive funding for Kansas Highway Patrol aircraft. This section does not. I encourage the Legislature to work with the administration to find comprehensive funding to address this needed enhancement, including the possibility of using one-time federal funding.

**Kansas Highway Patrol—Capitol Police and State Troopers Pay Parity**

Section 122(h) has been line-item vetoed in its entirety.

This measure would require the Kansas Highway Patrol to make expenditures to provide salary and wage parity between the Capitol Police and State Troopers. We should respect the Kansas Highway Patrol's request to address this issue internally.

**Section 140—2% Cut if Performance Based Budget Objectives Are Not Met**

Section 140 has been line-item vetoed in its entirety.

This section would implement a complex and unnecessary system for ensuring that state agencies are following K.S.A. 75-3718(b). As the former Ranking Member of the Senate Ways and Means Committee, I know first-hand the importance of making budgeting decisions based on the effectiveness of state programs and services. State Agencies already provide annual performance-based budgets for consideration during the budgeting process. Although steps to continually improve agency data and metrics are important, attaching these efforts to substantial punitive budget cuts are dangerous and counterproductive. I will not sign a provision that would put critical state services like K-12 public schools at risk of a 2% cut. Any individual issues with the quantity or quality of information provided should be addressed internally. I will continue to be committed to ensuring that both the administration and the Legislature have the information needed to make informed budget decisions.

**Section 141—Prohibiting Expenditures to Issue or Enforce Statewide Mask Mandate**

Section 141 has been line-item vetoed in its entirety.

This section would prohibit any expenditures to issue or enforce a statewide mask mandate. This proviso is unnecessary considering the significant changes made to the

Kansas Emergency Management Act in Senate Bill 40. There are already enough avenues for the legislature—and even private citizens—to challenge or overturn public health measures such as mask mandates, which reduce the spread of the coronavirus, reduce hospitalizations, and save lives.

#### **Section 142—E-verify Provisions**

Section 142 has been line-item vetoed in its entirety.

This section would require state agencies and some bidders, contractors, or employers who contract with the state to participate in E-verify beginning in fiscal year 2022 and ending June 30, 2023. Although I welcome policies to help improve oversight and accountability for state operations and contracts, blanket policy changes to the state's administrative processes should be fully vetted by stakeholders, legislators, and the public through the traditional legislative process.

#### **Section 143—Unemployment Insurance Modernization Request for Proposal Restrictions**

Section 143 has been line-item vetoed in its entirety.

This issue has already been addressed in House Bill 2196, which I signed on the same day that I signed this bill. House Bill 2196 establishes comprehensive oversight measures regarding unemployment system modernization efforts and avoids the undue and harmful delay in modernizing our unemployment insurance system that this section would cause.

#### **Kansas Board of Regents—State University Capital Renewal Initiative**

Section 163(a) has been line-item vetoed in its entirety.

This section would provide \$10,292,230 for the State University Capital Renewal Initiative. This funding is equivalent to the funding that was included in the budget to be used at the discretion of the Kansas Board of Regents. While I provided discretion to the Board of Regents on the use of this funding, the amount was calculated based on the share that the Regents System would receive if all state employees received a 2.5% salary and wage adjustment and not as a bond service payment on deferred maintenance. Although investments to address infrastructure issues are critically important, this specific state appropriation should be included with pay increases for state employees as intended. The Kansas Board of Regents should utilize federal funds to pay for deferred maintenance.

Dated: April 26, 2021

LAURA KELLY  
GOVERNOR OF KANSAS

**MESSAGES FROM THE GOVERNOR**

**HB 2178, HB 2238, HB 2295** approved on April 15, 2021.

**HB 2071, HB 2085, HB 2101, HB 2165, HB 2167, HB 2245, HB 2247, HB 2379** approved on April 16, 2021.

**HB 2104** approved on April 19, 2021.

**HB 2021, HB 2066, HB 2074, HB 2102, HB 2114, HB 2143, HB 2201, HB 2203, HB 2243, HB 2244, HB 2254, HB 2390, HB 2391, HB 2405, HB 2408** approved on April 21, 2021.

**HB 2208, HB 2401** approved on April 22, 2021.

**HB 2064, HB 2218** approved on April 23, 2021.

**HB 2196** approved on April 26, 2021.

**MESSAGE FROM THE GOVERNOR**

April 27, 2021

*Message to the Kansas House of Representatives:*

Enclosed herewith are Executive Order No. 21-22 for your information.

**EXECUTIVE ORDER NO. 21-22**

Concerning allowing for extensions of professional and occupational licenses during state of disaster emergency

LAURA KELLY  
*Governor*

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Thomas, **HR 6016**, by Reps. Thomas, Anderson, Amberger, Blex, Borjon, Burris, Carpenter, Clayton, Coleman, Concannon, Croft, Day, Delperdang, Ellis, Eplee, Estes, Featherston, Finch, Francis, French, Garber, Gartner, Haswood, Helmer, Highberger, Highland, Hoheisel, Hoye, Jennings, Johnson, Kelly, Long, Mason, Moser, Murphy, Neelly, Neighbor, Newland, Ousley, Owens, Poskin, Proctor, Rahjes, Resman, Ruiz, Sanders, Schreiber, Seiwert, Smith, Stogsdill, Turner, Waggoner and Wasinger, as follows, was introduced and adopted:

**HR 6016**— A RESOLUTION designating May 3, 2021, as Michael Mosher Day to honor Officer Michael Mosher's life, service and sacrifice.

WHEREAS, On May 3, 2020, Officer Michael Mosher was on his way to work when he witnessed a vehicular hit and run in Overland Park; and

WHEREAS, Officer Mosher called dispatchers and then followed the vehicle until it came to a stop near the intersection of West 123<sup>rd</sup> Street and Mackey Street; and

WHEREAS, The driver of the vehicle confronted Officer Mosher with a firearm and both were killed in the shootout; and

WHEREAS, Officer Mosher diligently served with the Overland Park Police Department for almost 15 years; and

WHEREAS, Officer Mosher spent his free time volunteering and organizing events to benefit several charities around the Kansas City community; and

WHEREAS, Officer Mosher dedicated his life to the defense of his fellow Kansans and to the continued improvement of his community: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we designate May 3, 2021, as Michael Mosher Day to honor Officer Michael Mosher's life, service and sacrifice; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send five enrolled copies of this resolution to Representative Thomas.

### **PERSONAL PRIVILEGE**

There being no objection, the following remarks of Rep. Thomas are spread upon the Journal.

I am honored this morning to present this resolution to the Body in honor of my friend, Officer Michael Mosher of the Overland Park Police Department. Today marks one year since his passing in the line of duty. Body, I ask for your indulgence as I provide you a picture of what he was like not only as Officer Mosher, but as the brother and friend we called Mike.

I first met Mike and his family in 1998, when we were both sophomores at Olathe South High School. My wife had gotten to know Mike in elementary school, and they remained friends through high school and on after. Mike was always a lover of fun, country music, and friends. We had a lot of good times together in choir, as well as some good times four-wheeling in our Jeeps and shooting soda cans off a tree stump on our friend Josh's Grandma's farm. Mike always enjoyed being together with folks whether he knew them or not. Mike always loved people.

After our high school graduation, Mike went out on a two-year mission through his church. We were all there to meet him at the airport when he came back, wearing that same old smile and acting just as goofy as ever. He soon made the decision to join the police force, still having that love for people and wanting to serve his community. We were all so proud of him.

Mike married an amazing woman Corrine, and together they brought a wonderful daughter Tyler into this world. I believe she will achieve many great things in her life just watch. He always loved his family. They could not be here today. They are celebrating his life back home as the street where his life ended is now being named Officer Mike Mosher Blvd. I know, like Mike, they are here in spirit - his wife, his daughter, his brother Jordan, sister Karalee, and his father Scott. His mother, Shellee, sadly passed away March 4<sup>th</sup> of this year. She was a wonderful lady and was always a joy to be around. She is also truly missed. I know she has been reunited with Mike and they are watching over us as we speak.

Today, there are two special guests with us in the gallery. The first gentleman is a man who still serves the people of Overland Park proudly. A man who took Mike's spot as President of the Overland Park Fraternal Order of Police. A truly honorable man, a brother, and Mike's long-time partner on the force, Sergeant Brandon Faber. Sergeant Faber, I would ask you to please rise and be recognized at this time.

Also joining us is one of Lawrence PD's finest. A man who grew up with Mike, and I got to know throughout our high school days. One of Mike's best friends, and certainly one of mine. Detective Josh Leitner is with us today to honor our friend. Please join me in recognizing Detective Leitner. Thank you both for your service, and for your friendship to our brother Mike.

As a man who never forgot his roots or his desire to help people, Mike donated much of his free time giving back to the community. He spent quite a bit of time involved in organizations like the Special Olympics, and many groups that deal with mental health. He was a model officer and a great advocate for his community and fellow officers. He also spent time in discussions with the Overland Park city council when it came to issues facing law enforcement. His father, Scott Mosher, will continue these discussions and Mike's legacy as he campaigns for a seat on the Overland Park city council. I hope Scott knows he has my undeniable and unwavering support.

Folks, as we honor Mike's memory today, I ask one thing of all who are here or watching online. Be Like Mike. Give a little back to your community, or to a charitable organization. Whether it be an hour or two of your time volunteering, or a financial contribution to a group like the Special Olympics or Harvesters. Take time to show folks you care just like he did. You will not regret it, I promise. Not only today, anytime you have free time, give back to those who may need it most. Mike was so passionate about helping others. Let us keep this passion moving forward in light of his life and celebrate our time as he did.

In closing, I want to quote a line or two from a song titled "Ships of Heaven," recorded by one of our favorite bands "Blackhawk."

"Don't cry for me when I'm gone,  
 Keep the faith and be strong.  
 'Cause through it all I've been blessed,  
 I've faced my fears, and I've passed the test.  
 So, when you look up to the sky on a sunny day  
 Imagine me drifting away."

A scripture I believe captures Mike to a tee is John 15:13 which tells us "Greater love hath no man than this, that a man lay down his life for his friend."

Mike was a friend to everyone who knew him and those who did not know him as we did. Even in his death he was protecting others he did not even know he was protecting.

I will see my friend and brother again one day this I know. I also hope you will all be there with me. God bless you all, God bless this amazing family, and God bless you, Mike. We love you.

On motion of Rep. Hawkins, the House recessed until 11:05 a.m.

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#### LATE MORNING SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

#### CONSIDERATION OF VETO

On motion of Rep. Proehl the House proceeded to reconsider **HB 2166 AN ACT** concerning motor vehicles; relating to distinctive license plates; providing for the Braden's hope for childhood cancer, proud educator, delta sigma theta, Gadsden flag, love, Chloe foundation and alpha kappa alpha distinctive license plates; providing distinctive license plates for current and veteran members of the United States army, navy, marine corps, air force, coast guard and space force; modifying requirements to

begin production on distinctive license plates; requiring reporting by sponsoring organizations of income and expenditures derived from certain distinctive license plate fees; establishing a fee for firefighter license plates; allowing certain license plates issued by the division of vehicles to be personalized license plates; amending K.S.A. 2020 Supp. 8-132, 8-1,141, 8-1,142, 8-1,147 and 8-1,155 and repealing the existing sections..

The Governor's objection to **HB 2166** having been read (HJ Page 1257) question being shall the bill be passed notwithstanding the Governor's veto?

On roll call, the vote was: Passed

A two-thirds majority of the members elected to the House having voted in favor of the bill over the Governor's veto, the motion did prevail, the bill did pass.

On roll call, the vote was: Yeas 86; Nays 37; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delpdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Burroughs, Byers, Carlin, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Bishop, Carmichael.

#### EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **HB 2166**. This sort of glorification of Christopher Gadsden, the notorious slave merchant whose Gadsden's Wharf is estimated to have sold more Africans into slavery than any other location in North America, is a stain on our country's history. I do not wish for our great state of Kansas that came into this union as a Free State to be attached to a symbol of racism and immoral acts of slavery. – TOM SAWYER, LINDSAY VAUGHN, CHRISTINA HASWOOD, PONKA-WE VICTORS, PAM CURTIS, AARON COLEMAN, VALDENIA C. WINN, JO ELLA HOYE, CINDY NEIGHBOR, ANNIE KUETHER, JIM GARTNER, MIKE AMYX, LINDA FEATHERSTON, MARI-LYNN POSKIN, STEPHANIE M. BYERS, SUSAN RUIZ, VIRGIL WEIGEL, JENNIFER DAY, BRODERICK HENDERSON, SYDNEY CARLIN, TOM BURROUGHS, JERRY STOGSDILL, SUSAN RUIZ, KC OAEBOSIM, JOHN ALCALA,

#### CONSIDERATION OF VETO

On motion of Rep. B. Carpenter, the House proceeded to reconsider **HB 2332** AN ACT concerning elections; relating to the conduct of elections; providing for the appointment and duties of certain elected officials; amending K.S.A. 73-213, 73-214, 73-215, 73-218 and 73-219 and K.S.A. 2020 Supp. 25-1122 and 25-2423 and repealing

the existing sections..

The Governor's objection to **HB 2332** having been read (HJ Page 1258) question being shall the bill be passed notwithstanding the Governor's veto?

On roll call, the vote was: Passed

A two-thirds majority of the members elected to the House having voted in favor of the bill over the Governor's veto, the motion did prevail, the bill did pass.

On roll call, the vote was: Yeas 86; Nays 37; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Averkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Burroughs, Byers, Carlin, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Bishop, Carmichael.

### CONSIDERATION OF VETO

On motion of Rep. B. Carpenter, the House proceeded to reconsider **HB 2183** AN ACT concerning elections; creating the transparency in revenues underwriting elections act; prohibiting the receipt and expenditure of private moneys by election officials; directing the secretary of state to publish certain registered voter totals; relating to advance voting ballots; requiring signed statements for delivery of such ballots on behalf of a voter; limiting the number of such ballots that can be delivered; prohibiting the altering or backdating of the mailing date on such ballots; requiring a matching signature on such ballots; removing the secretary of state's authority to provide additional time for receipt of such ballots; prohibiting candidates for office from engaging in certain conduct related to advance voting ballots; creating the crime of false representation of an election official; expanding the crime of electioneering; penalties for violations; amending K.S.A. 2020 Supp. 25-1124, 25-1128, 25-1132 and 25-2430 and repealing the existing sections; also repealing K.S.A. 25-608..

The Governor's objection to **HB 2183** having been read (HJ Page 1258) question being shall the bill be passed notwithstanding the Governor's veto?

On roll call, the vote was: Passed

A two-thirds majority of the members elected to the House having voted in favor of the bill over the Governor's veto, the motion did prevail, the bill did pass.

On roll call, the vote was: Yeas 85; Nays 38; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Averkamp, Baker, Barker, Bergkamp, Bergquist, Blex,

Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Burroughs, Byers, Carlin, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgeson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Samsel, Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Bishop, Carmichael.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **HB 2183**. This bill is designed to enact new election restrictions and limit the ability to vote by Kansans. Our own Secretary of State has expressed confidence that Kansas had a fair election thanks to our existing election laws. We will inevitably drive away businesses as we've seen happen across the country due to legislation like this. **HB 2183** is unnecessary and will disenfranchise Kansans, making it difficult for them to participate in the Democratic process. – LINDSAY VAUGHN, CHRISTINA HASWOOD, PONKA-WE VICTORS, LOUIS E. RUIZ, PAM CURTIS, BRANDON WOODARD, AARON COLEMAN, STEPHANIE CLAYTON, VALDENIA C. WINN, JO ELLA HOYE, CINDY NEIGHBOR, ANNIE KUETHER, JIM GARTNER, MIKE AMYX, LINDA FEATHERSTON, MARI-LYNN POSKIN, STEPHANIE M. BYERS, SUSAN RUIZ, VIRGIL WEIGEL, JENNIFER DAY, BRODERICK HENDERSON, SYDNEY CARLIN, TOM BURROUGHS, JERRY STOGSDILL, RUI XU, KC OAEBOSIM, JOHN ALCALA, GAIL FINNEY

MR. SPEAKER: I vote YES on the override of **HB 2183**. Election integrity has to be at the core of our republic. We cannot continue to allow ballot harvesting in any respect. Kansas voters need to have the assurance that elections are conducted fairly. – TATUM LEE-HAHN

#### CONSIDERATION OF VETO

On motion of Rep. Barker the House proceeded to reconsider **HB 2058** AN ACT concerning crimes, punishment and criminal procedure; relating to firearms; reducing the underlying felonies for the crime of criminal possession of a weapon by a convicted felon; restoration of the right to possess firearms upon expungement of convictions; recognition of licenses under the personal and family protection act issued by other jurisdictions; creating a provisional license for persons under the age of 21; authorizing the issuance of alternative license during certain circumstances; amending K.S.A. 75-7c02, 75-7c03, 75-7c04, 75-7c05, 75-7c08 and 75-7c21 and K.S.A. 2020 Supp. 21-5914, 21-6301, 21-6302, 21-6304, 21-6309, 21-6614 and 32-1002 and repealing the existing sections..

The Governor's objection to **HB 2058** having been read (HJ Page 1256) question being shall the bill be passed notwithstanding the Governor's veto?

On roll call, the vote was: Passed

A two-thirds majority of the members elected to the House having voted in favor of the bill over the Governor's veto, the motion did prevail, the bill did pass.

On roll call, the vote was: Yeas 84; Nays 39; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Averkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, K. Williams.

Nays: Alcalá, Amyx, Ballard, Burroughs, Byers, Carlin, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Schreiber, Stogsdill, Vaughn, Victors, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Bishop, Carmichael.

#### EXPLANATION OF VOTE

MR. SPEAKER: Mr. Speaker, I vote no on **House Bill 2058**. I strongly believe that this body should work to pass legislation that promotes safe and responsible firearm ownership. Unfortunately, **HB 2058** does not do this. Under this bill, it will be easier for felons, those as young as 18, and individuals with dangerous backgrounds to conceal carry. This greatly undermines common sense laws that keep Kansas communities safe. I worry about the ramifications this could bring to the wellbeing of Kansas families and their children. – TOM SAWYER, JOHN ALCALA, LINDSAY VAUGHN, CHRISTINA HASWOOD, LOUIS E. RUIZ, PAM CURTIS, BRANDON WOODARD, AARON COLEMAN, STEPHANIE CLAYTON, VALDENIA C. WINN, JO ELLA HOYE, CINDY NEIGHBOR, MIKE AMYX, ANNIE KUETHER, JIM GARTNER, LINDA FEATHERSTON, MARI-LYNN POSKIN, STEPHANIE M. BYERS, SUSAN RUIZ, VIRGIL WEIGEL, JENNIFER DAY, KC OHAEBOSIM, BRODERICK HENDERSON, SYDNEY CARLIN, TOM BURROUGHS, JERRY STOGSDILL

#### MESSAGE FROM THE SENATE

Announcing the Senate herewith transmits the veto message from the Governor together with the enrolled copy of **SB 50**, AN ACT concerning taxation; relating to sales and compensating use tax; requiring the collection and remittance for sales, compensating use and transient guest taxes and prepaid wireless 911 fees made on marketplace facilitator platforms; removing click-through nexus provisions; relating to income tax; providing for addition and subtraction modifications for the treatment of

global intangible low-taxed income, business interest, capital contributions, FDIC premiums and business meals; expanding the expense deduction for income taxpayers and calculating the deduction amount; providing the ability to elect to itemize for individuals; exemption of unemployment compensation income attributable as a result of identity fraud; removing the line for reporting compensating use tax from individual tax returns; extending the dates when corporate tax returns are required to be filed; increasing the Kansas standard deduction; providing for an extension of the corporate net operating loss carryforward period; amending K.S.A. 79-3221, 79-3221o, 79-32,117, 79-32,119, 79-32,120, 79-32,138, 79-32,143, 79-32,143a and 79-3702 and repealing the existing sections, which was received on April 16, 2021 and read on May 3, 2021.

### **REGARDING VETO ON SENATE BILL 50**

Last year, despite COVID-19, Kansas experienced a record-setting \$2.5 billion in new investment from businesses. These companies chose to make Kansas home in large part due to the state's recent investments in our economic development tools, prioritizing funding for infrastructure improvements, and reinvesting in our students.

As many of you with whom I served well remember, in order to provide sustainable funding for essential government services, we cannot return to the era of perennial, self-inflicted budget crises that undermine the very fabric and foundation of our state.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Bill 50**.

Date: April 16, 2021

By The Governor

LAURA KELLY

A motion was made that **SB 50** be passed notwithstanding the Governor's veto. By a vote of 30 Yeas and 10 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the Senate, voting in the affirmative, the bill passed.

### **CONSIDERATION OF VETO**

On motion of Rep. A. Smith, the House proceeded to reconsider **SB 50 AN ACT** concerning taxation; relating to sales and compensating use tax; requiring the collection and remittance for sales, compensating use and transient guest taxes and prepaid wireless 911 fees made on marketplace facilitator platforms; removing click-through nexus provisions; relating to income tax; providing for addition and subtraction modifications for the treatment of global intangible low-taxed income, business interest, capital contributions, FDIC premiums and business meals; expanding the expense deduction for income taxpayers and calculating the deduction amount; providing the ability to elect to itemize for individuals; exemption of unemployment compensation income attributable as a result of identity fraud; removing the line for reporting compensating use tax from individual tax returns; extending the dates when corporate tax returns are required to be filed; increasing the Kansas standard deduction; providing for an extension of the corporate net operating loss carryforward period; amending K.S.A. 79-3221, 79-3221o, 79-32,117, 79-32,119, 79-32,120, 79-32,138, 79-32,143, 79-

32,143a and 79-3702 and repealing the existing sections..

The Governor's objection to **SB 50** having been read (HJ Page 1273) question being shall the bill be passed not withstanding the Governor's veto?

On roll call, the vote was: Passed

A two-thirds majority of the members elected to the House having voted in favor of the bill over the Governor's veto, the motion did prevail, the bill did pass.

On roll call, the vote was: Yeas 84; Nays 39; Present but not voting: 0; Absent or not voting: 2.

Yeas: Anderson, Arnberger, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Baker, Ballard, Burroughs, Byers, Carlin, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Orr, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Bishop, Carmichael.

#### EXPLANATION OF VOTE

Mr. Speaker: I vote no on **SB 50**. We should not be prioritizing giant multinational corporations over hard-working Kansans. This is absolutely the wrong message we should be sending. Instead, the focus should be on providing access to affordable healthcare, supporting education, protecting our key infrastructures, and ensuring the financial stability of all working Kansans and their families. At a time when we are facing economic uncertainty, we do not need to repeat the failed tax experiment that was soundly rejected by this Legislature once before. — TOM SAWYER, LINDSAY VAUGHN, CHRISTINA HASWOOD, PAM CURTIS, AARON COLEMAN, STEPHANIE CLAYTON, VALDENIA C. WINN, JO ELLA HOYE, BARBARA BALLARD, CINDY NEIGHBOR, ANNIE KUETHER, JIM GARTNER, MIKE AMYX, LINDA FEATHERSTON, MARI-LYNN POSKIN, STEPHANIE M. BYERS, SUSAN RUIZ, VIRGIL WEIGEL, JENNIFER DAY, BRODERICK HENDERSON, SYDNEY CARLIN, JERRY STOGSDILL, RUI XU, KC OAEBOSIM, JOHN ALCALA, GAIL FINNEY

On motion of Rep. Hawkins, the House recessed until 2:00 p.m.

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#### AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

## CONSIDERATION OF VETO

On motion of Rep. Waymaster the House proceeded to reconsider the line item veto of Section 30(c) of **HB 2007**.

The Governor's objection of the line item in **HB 2007** having been read (HJ Page 1261), the question being shall the bill be passed notwithstanding the Governor's veto?

On roll call, the vote was: Yeas 86; Nays 38; Present but not voting: 0; Absent or not voting: 1.

Yeas: Anderson, Arnberger, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Bishop.

A two-thirds majority of the members elected to the House having voted in favor of the line item over the Governor's veto, the motion did prevail, the line item did pass.

## EXPLANATION OF VOTE

MR. SPEAKER: I vote no on Section 30(c) of **HB 2007**. The proposed process of using LCC to approve the use of any federal coronavirus relief funds is a critical misstep by this body. This will inevitably lead to a slowdown of our economic recovery while creating confusion through the process. Furthermore, LCC does not have the proper structure in place to handle such allocations. The State Finance Council should be the agreed-upon entity to ensure federal funds are properly allocated. Thank you, Mr. Speaker. — TOM SAWYER, LINDSAY VAUGHN, CHRISTINA HASWOOD, PAM CURTIS, BRANDON WOODARD, AARON COLEMAN, STEPHANIE CLAYTON, VALDENIA C. WINN, JO ELLA HOYE, BARBARA BALLARD, CINDY NEIGHBOR, ANNIE KUETHER, JIM GARTNER, MIKE AMYX, LINDA FEATHERSTON, MARI-LYNN POSKIN, STEPHANIE M. BYERS, SUSAN RUIZ, VIRGIL WEIGEL, JENNIFER DAY, BRODERICK HENDERSON, SYDNEY CARLIN, TOM BURROUGHS, JERRY STOGSDILL, RUI XU, KC OAEBOSIM, JOHN ALCALÁ, GAIL FINNEY

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On motion of Rep. W. Carpenter, the House proceeded to reconsider the line item veto of Section 87(a) on **HB 2007**.

The Governor's objection of the line item in **HB 2007** having been read (HJ Page 1262), the question being shall he bill be passed notwithstanding the Governor's veto?

On roll call, the vote was: Yeas 84; Nays 40; Present but not voting: 0; Absent or not voting: 1.

Yeas: Anderson, Arnberger, Averkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Highland, Hoffman, Hoheisel, Howard, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Helmer, Henderson, Highberger, Houser, Hoye, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Bishop.

A two-thirds majority of the members elected to the House having voted in favor of the line item over the Governor's veto, the motion did prevail, the line item did pass.

On motion of Rep. Humphries the House proceeded to reconsider the line item veto of Section 163(a) of **HB 2007**.

The Governor's objection of the line item in **HB 2007** having been read (HJ Page 1265), the question being shall he bill be passed not withstanding the Governor's veto?

On roll call, the vote was: Yeas 84; Nays 40; Present but not voting: 0; Absent or not voting: 1.

Yeas: Anderson, Arnberger, Averkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Burris, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Featherston, Finney, Gartner, Haswood, Helgerson, Henderson, Highberger, Hoye, Jacobs, Kuether, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Bishop.

A two-thirds majority of the members elected to the House having voted in favor of

the line item over the Governor's veto, the motion did prevail, the line item did pass.

#### EXPLANATION OF VOTE

MR. SPEAKER: At a time when the State of Kansas is recovering from a pandemic, we must be strategic in our investments in the future workforce of Kansas. While addressing the more than \$1.2 Billion in deferred maintenance projects is important for the future of our higher education system, creating a new line-item with \$10.3 Million does not even begin to scratch the surface. We must take a more comprehensive approach. Therefore, I vote NO on the Section **163(a) of HB 2007**. – TOM SAWYER, LINDSAY VAUGHN, CHRISTINA HASWOOD, LOUIS E. RUIZ, PAM CURTIS, BRANDON WOODARD, AARON COLEMAN, STEPHANIE CLAYTON, VALDENIA C. WINN, JO ELLA HOYE, CINDY NEIGHBOR, ANNIE KUETHER, JIM GARTNER, MIKE AMYX, LINDA FEATHERSTON, MARI-LYNN POSKIN, STEPHANIE M. BYERS, SUSAN RUIZ, VIRGIL WEIGEL, JENNIFER DAY, BRODERICK HENDERSON, SYDNEY CARLIN, TOM BURROUGHS, JERRY STOGSDILL, KC OAEBOSIM, JOHN ALCALA, GAIL FINNEY, PONKA -WE VICTORS

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On motion of Rep. Concannon the House proceeded to reconsider the line item veto of Section 80(e) of **HB 2007**.

The Governor's objection of the line item in **HB 2007** having been read (HJ Page 1261) the question being shall the line item be passed notwithstanding the Governor's veto?

On roll call, the vote was: Yeas 104; Nays 20; Present but not voting: 0; Absent or not voting: 1.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Newland, Orr, Ousley, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Woodard.

Nays: Byers, Carmichael, Clayton, Day, Featherston, Helgerson, Henderson, Hoyer, Kuether, Neighbor, Ohaebosim, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Vaughn, Wolfe Moore, Xu.

Present but not voting: None.

Absent or not voting: Bishop.

A two-thirds majority of the members elected to the House having voted in favor of the line item over the Governor's veto, the motion did prevail, the line item did pass.

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There was no motion to reconsider the remaining line items and those vetoes were sustained.

**REPORT ON ENGROSSED BILLS**

**HB 2201** reported correctly re-engrossed April 9, 2021.

**HB 2058, HB 2089, HB 2166, HB 2183, HB 2244, HB 2332** reported correctly re-engrossed April 10, 2021.

**HB 2203, HB 2390** reported correctly engrossed April 11, 2021.

**HB 2254** reported correctly re-engrossed April 11, 2021.

**HB 2007, HB 2218** reported correctly engrossed April 12, 2021.

**HB 2021, HB 2039, HB 2064, HB 2114, HB 2391, HB 2405** reported correctly re-engrossed April 12, 2021.

**HB 2143** reported correctly engrossed April 13, 2021.

**HB 2196** reported correctly re-engrossed April 13, 2021.

**REPORT ON ENROLLED BILLS**

**HB 2007, HB 2021, HB 2039, HB 2058, HB 2064, HB 2066, HB 2074, Sub HB 2089, S Sub for HB 2102, HB 2114, HB 2143, Sub HB 2166, HB 2183, S Sub for HB 2196, S Sub for HB 2201, HB 2203, S Sub for HB 2208, HB 2218, HB 2243, HB 2244, HB 2254, HB 2332, HB 2390, HB 2391, HB 2401, HB 2405, HB 2408** reported correctly enrolled, properly signed and presented to the Governor on April 16, 2021.

On motion of Rep. Hawkins, the House adjourned until 10:00 a.m., Tuesday, May 4, 2021.

# Journal of the House

## SIXTY-FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Tuesday, May 4, 2021, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Finch in the chair.

The roll was called with 121 members present.

Rep. Neighbor was excused on verified illness.

Reps. Awerkamp, Bishop and Howard were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Almighty God,  
We come to You today with thanksgiving and gratitude  
for who You are and all that You have done for us.  
With today's date, many are going around saying,  
"may the fourth or force be with you."  
Help us to recognize today that You are the force  
that we desperately need.  
You are the force that promises to always be with us  
as Your Word tells us:  
"...do not fear, for I am with you; do not be dismayed for I am your God.  
I will strengthen you and help you;  
I will uphold you with my righteous right hand.  
Be strong and courageous. Do not be afraid.  
The Lord himself goes before you and will be with you;  
He will never leave you nor forsake you."  
This is the force that we can count upon to help us through this day.  
In Your Holy Name I pray, Amen.  
Isaiah 41:10; Deuteronomy 31:7-8

The Pledge of Allegiance was led by Rep. Amyx.

### MESSAGE FROM THE SENATE

Announcing the Senate herewith transmits certificate of action by the Senate on **HB 2166**,

AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the Braden's hope for childhood cancer, proud educator, delta sigma theta, Gadsden flag, love, Chloe foundation and alpha kappa alpha distinctive license plates; providing distinctive license plates for current and veteran members of the United States army, navy, marine corps, air force, coast guard and space force; modifying requirements to

begin production on distinctive license plates; requiring reporting by sponsoring organizations of income and expenditures derived from certain distinctive license plate fees; establishing a fee for firefighter license plates; allowing certain license plates issued by the division of vehicles to be personalized license plates; amending K.S.A. 2020 Supp. 8-132, 8-1,141, 8-1,142, 8-1,147 and 8-1,155 and repealing the existing sections.

The veto message from the Governor having been received, a motion was made that not withstanding the Governor's objection to **HB 2166**, the bill be passed. By a vote of 28 Yeas and 12 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the Senate, voting in the affirmative, the bill passed.

Announcing the Senate here with transmits certificate of action by the Senate on **HB 2332**,

AN ACT concerning elections; relating to the conduct of elections; providing for the appointment and duties of certain elected officials; amending K.S.A. 73-213, 73-214, 73-215, 73-218 and 73-219 and K.S.A. 2020 Supp. 25-1122 and 25-2423 and repealing the existing sections.

The veto message from the Governor having been received, a motion was made that not withstanding the Governor's objection to **HB 2332**, the bill be passed. By a vote of 28 Yeas and 12 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the Senate, voting in the affirmative, the bill passed.

Announcing the Senate here with transmits certificate of action by the Senate on **HB 2183**,

AN ACT concerning elections; creating the transparency in revenues underwriting elections act; prohibiting the receipt and expenditure of private moneys by election officials; directing the secretary of state to publish certain registered voter totals; relating to advance voting ballots; requiring signed statements for delivery of such ballots on behalf of a voter; limiting the number of such ballots that can be delivered; prohibiting the altering or backdating of the mailing date on such ballots; requiring a matching signature on such ballots; removing the secretary of state's authority to provide additional time for receipt of such ballots; prohibiting candidates for office from engaging in certain conduct related to advance voting ballots; creating the crime of false representation of an election official; expanding the crime of electioneering; penalties for violations; amending K.S.A. 2020 Supp. 25-1124, 25-1128, 25-1132 and 25-2430 and repealing the existing sections; also repealing K.S.A. 25-608.

The veto message from the Governor having been received, a motion was made that not withstanding the Governor's objection to **HB 2183**, the bill be passed. By a vote of 28 Yeas and 12 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the Senate, voting in the affirmative, the bill passed.

Announcing the Senate here with transmits certificate of action by the Senate on **HB 2058**,

AN ACT concerning crimes, punishment and criminal procedure; relating to firearms; reducing the underlying felonies for the crime of criminal possession of a weapon by a

convicted felon; restoration of the right to possess firearms upon expungement of convictions; recognition of licenses under the personal and family protection act issued by other jurisdictions; creating a provisional license for persons under the age of 21; authorizing the issuance of alternative license during certain circumstances; amending K.S.A. 75-7c02, 75-7c03 , 75-7c04, 75-7c05, 75-7c08 and 75-7c21 and K.S.A. 2020 Supp. 21-5914, 21-6301, 21-6302, 21-6304, 21-6309, 21-6614 and 32-1002 and repealing the existing sections.

The veto message from the Governor having been received, a motion was made that not withstanding the Governor's objection to **HB 2058**, the bill be passed. By a vote of 31 Yeas and 8 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the Senate, voting in the affirmative, the bill passed.

The Senate accedes to the request of the House for a conference on **HB 2138** and has appointed Senators Alley, Hilderbrand and Faust-Goudeau as conferees on the part of the Senate.

The Senate announced the appointment of Senator Corson to replace Senator Haley as a conferee on **SB 58**.

#### **MOTIONS AND RESOLUTIONS OFFERED ON A PREVIOUS DAY**

On motion of Rep. Mason, **HR 6014**, A RESOLUTION strengthening the sister-state ties between the State of Kansas and Taiwan, was adopted.

There being no objection, the following remarks of Reps. Hawkins and Mason are spread upon the Journal:

Colleagues, this morning, we will vote on the adoption of HR 6014, "Strengthening the sister-state ties between the State of Kansas and Taiwan." This year marks the 32th anniversary of Kansas' close relationship with Taiwan, and the 42th Anniversary of the Taiwan Relations Act, a U.S. public law.

Taiwan has consistently been one of Kansas' largest export customers in the global market, and at the same time, Taiwan ranks as one of Kansas' largest import countries. The goods Kansas exports to Taiwan include processed food products, agricultural products, computer & electronic products, leather and allied products, and many more.

According to 2015 data, Taiwan contributes a total 26,762 jobs in Kansas. Taiwan affiliated companies located in Kansas include GARMIN, Hyper Tech Computers, and Sun Marble Company.

Taiwan shares our values of a robust democracy, individual liberty, the rule of law, and human rights. And, Taiwan is a trusted friend. Early in the 2020 pandemic, Taiwan donated 100,000 surgical masks and 10,000 N95 masks to the State of Kansas for front line workers.

In years past, we've had the privilege of having diplomats from the Taipei Economic and Cultural Office in Denver in the chamber for this resolution. Unfortunately, because of Covid 19 concerns, those individuals have been forced to limit travel. Nevertheless, it's with great honor that we move to adopt this resolution today.

On motion of Rep. Hawkins, the House recessed until 10:45 a.m.

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## LATE MORNING SESSION

The House met pursuant to recess with Speaker pro tem Finch in the chair.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Hawkins, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 60** and **SB 47**.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 60** submits the following report:

The House recedes from all of its amendments to the bill, and your committee on conference further agrees to amend the bill as printed as introduced, as follows:

On page 1, following line 7, by inserting:

"New Section 1. (a) Sexual extortion is communicating by any means a threat to injure the property or reputation of a person, commit violence against a person, or distribute an image, video or other recording of a person that is of a sexual nature or depicts such person in a state of nudity:

(1) With the intent to coerce such person to: (A) Engage in sexual contact, sexual intercourse or conduct that is of a sexual nature; or (B) produce, provide or distribute an image, video or other recording of a person in a state of nudity or engaging in conduct that is of a sexual nature; or

(2) that causes such person to: (A) Engage in sexual contact, sexual intercourse or conduct that is of a sexual nature; or (B) produce, provide or distribute an image, video or other recording of a person in a state of nudity or engaging in conduct that is of a sexual nature.

(b) Sexual extortion as defined in:

(1) Subsection (a)(1) is a severity level 7, person felony; and

(2) subsection (a)(2) is a severity level 4, person felony.

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

New Sec. 2. (a) In any prosecution for a crime, a court shall not require or order a victim of the crime to submit to or undergo either a psychiatric or psychological examination.

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

Sec. 3. K.S.A. 2020 Supp. 8-1568 is hereby amended to read as follows: 8-1568. (a) (1) ~~(A)~~ Any driver of a motor vehicle who ~~willfully~~ knowingly fails or refuses to bring such driver's vehicle to a stop for a pursuing police vehicle or police bicycle, when given visual or audible signal to bring the vehicle to a stop, shall be guilty as provided by subsection (c)(1).

~~(2)(B)~~ Any driver of a motor vehicle who ~~willfully~~ knowingly otherwise flees or attempts to elude a pursuing police vehicle or police bicycle, when given visual or audible signal to bring the vehicle to a stop, shall be guilty as provided by subsection (c)

(1).

~~(2)~~ (2) It shall be an affirmative defense to any prosecution under subsection (a)(1) that the driver's conduct in violation of such ~~paragraph~~ subsection was caused by such driver's reasonable belief that the vehicle or bicycle pursuing such driver's vehicle is not a police vehicle or police bicycle.

(b) Any driver of a motor vehicle who ~~willfully~~ knowingly fails or refuses to bring such driver's vehicle to a stop, or who otherwise flees or attempts to elude a pursuing police vehicle or police bicycle, when given visual or audible signal to bring the vehicle to a stop, and who:

(1) Commits any of the following during a police pursuit, shall be guilty as provided by subsection (c)(2):

(A) Fails to stop for a police road block;

(B) drives around tire deflating devices placed by a police officer;

(C) engages in reckless driving as defined by K.S.A. 8-1566, and amendments thereto;

(D) is involved in any motor vehicle accident or intentionally causes damage to property; ~~or~~

(E) commits five or more moving violations; or

(F) is operating a stolen motor vehicle;

(2) is attempting to elude capture for the commission of any felony, shall be guilty as provided in by subsection (c)(2); or

(3) knowingly drives the wrong way into an opposing lane of travel on a divided highway as defined in K.S.A. 8-1414, and amendments thereto, knowingly departs the appropriate lane of travel into an opposing lane of travel on any roadway causing an evasive maneuver by another driver, knowingly drives through any intersection causing an evasive maneuver by another driver or causes a collision involving another driver, shall be guilty as provided by subsection (c)(3).

(c) (1) ~~Violation of subsection (a), upon is a:~~

(A) First conviction is a Class B nonperson misdemeanor when the person being sentenced has no prior convictions for a violation of subsection (a) or (b);

(B) second conviction is a class A nonperson misdemeanor when the person being sentenced has one prior conviction for a violation of subsection (a) or (b); or

(C) third or subsequent conviction is a severity level 9, person felony when the person being sentenced has two or more prior convictions for a violation of subsection (a) or (b).

(2) Violation of subsection (b)(1) or (b)(2) is a severity level 9, person felony.

(3) Violation of subsection (b)(3) is a severity level 7, person felony.

(4) In addition to the penalty described in paragraph (2), the court shall impose a fine of not less than \$500 when the driver is operating a stolen motor vehicle during the commission of the offense.

(d) The signal given by the police officer may be by hand, voice, emergency light or siren:

(1) If the officer giving such signal is within or upon an official police vehicle or police bicycle at the time the signal is given, the vehicle or bicycle shall be appropriately marked showing it to be an official police vehicle or police bicycle; or

(2) if the officer giving such signal is not utilizing an official police vehicle or police bicycle at the time the signal is given, the officer shall be in uniform,

prominently displaying such officer's badge of office at the time the signal is given.

(e) For the purpose of this section:

(1) "Conviction" means a final conviction without regard to whether sentence was suspended or probation granted after such conviction. Forfeiture of bail, bond or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction. For the purpose of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this section, it is irrelevant whether an offense occurred before or after conviction for a previous offense.

(2) "Appropriately marked" official police vehicle or police bicycle shall include, but not be limited to, any police vehicle or bicycle equipped with functional emergency lights or siren or both and which the emergency lights or siren or both have been activated for the purpose of signaling a driver to stop a motor vehicle.

(f) The division of vehicles of the department of revenue shall promote public awareness of the provisions of this section when persons apply for or renew such person's driver's license.";

On page 2, following line 1, by inserting:

"Sec. 5. K.S.A. 2020 Supp. 21-5505 is hereby amended to read as follows: 21-5505. (a) Sexual battery is the touching of a victim ~~who is not the spouse of the offender~~, who is 16 or more years of age and who does not consent thereto, with the intent to arouse or satisfy the sexual desires of the offender or another.

(b) ~~Aggravated sexual battery is the touching of a victim who is 16 or more years of age and who does not consent thereto with the intent to arouse or satisfy the sexual desires of the offender or another and sexual battery, as defined in subsection (a),~~ under any of the following circumstances:

(1) When the victim is overcome by force or fear;

(2) when the victim is unconscious or physically powerless; or

(3) when the victim is incapable of giving consent because of mental deficiency or disease, or when the victim is incapable of giving consent because of the effect of any alcoholic liquor, narcotic, drug or other substance, which condition was known by, or was reasonably apparent to, the offender.

(c) (1) Sexual battery is a class A person misdemeanor.

(2) Aggravated sexual battery is a severity level 5, person felony.

(d) Except as provided in subsection (b)(3), it shall not be a defense that the offender did not know or have reason to know that the victim did not consent to the battery, that the victim was overcome by force or fear, or that the victim was unconscious or physically powerless.

Sec. 6. K.S.A. 2020 Supp. 21-5804 is hereby amended to read as follows: 21-5804.

(a) In any prosecution under K.S.A. 2020 Supp. 21-5801 through 21-5839, and amendments thereto, the following shall be prima facie evidence of intent to permanently deprive the owner or lessor of property of the possession, use or benefit thereof:

(1) The giving of a false identification or fictitious name, address or place of employment at the time of buying, selling, leasing, trading, gathering, collecting, soliciting, procuring, receiving, dealing or otherwise obtaining or exerting control over the property;

(2) the failure of a person who leases or rents personal property to return the same

within 10 days after the date set forth in the lease or rental agreement for the return of the property, if notice is given to the person renting or leasing the property to return the property within seven days after receipt of the notice, in which case the subsequent return of the property within the seven-day period shall exempt such transaction from consideration as prima facie evidence as provided in this section;

(3) destroying, breaking or opening a lock, chain, key switch, enclosure or other device used to secure the property in order to obtain control over the property;

(4) destruction of or substantially damaging or altering the property so as to make the property unusable or unrecognizable in order to obtain control over the property;

(5) the failure of a person who leases or rents from a commercial renter a motor vehicle under a written agreement that provides for the return of the motor vehicle to a particular place at a particular time, if notice has been given to the person renting or leasing the motor vehicle to return such vehicle within three calendar days from the date of the receipt or refusal of the demand. In addition, if such vehicle has not been returned after demand, the lessor may notify the local law enforcement agency of the failure of the lessee to return such motor vehicle and the local law enforcement agency shall cause such motor vehicle to be put into any appropriate state and local computer system listing stolen motor vehicles;

(6) the failure of a person who is provided with a use of a vehicle by the owner of the vehicle to return it to the owner pursuant to a written instruction specifying: (A) The time and place to return the vehicle; and (B) that failure to comply may be prosecuted as theft, and such instructions are delivered to the person by the owner at the time the person is provided with possession of the vehicle. In addition, if such vehicle has not been returned pursuant to the specifications in such instructions, the owner may notify the local law enforcement agency of the failure of the person to return such motor vehicle and the local law enforcement agency shall cause such motor vehicle to be put into any appropriate state and local computer system listing stolen motor vehicles;

(7) removing a theft detection device, without authority, from merchandise or disabling such device prior to purchase; or

(8) under the provisions of K.S.A. 2020 Supp. 21-5801(a)(5), and amendments thereto, the failure to replace or reattach the nozzle and hose of the pump used for the dispensing of motor fuels or placing such nozzle and hose on the ground or pavement.

(b) In any prosecution for a misdemeanor under K.S.A. 2020 Supp. 21-5801, and amendments thereto, in which the object of the alleged theft is a book or other material borrowed from a library, it shall be prima facie evidence of intent to permanently deprive the owner of the possession, use or benefit thereof if the defendant failed to return such book or material within 30 days after receiving notice from the library requesting its return, in which case the subsequent return of the book or material within the 30-day period shall exempt such transaction from consideration as prima facie evidence as provided in this section.

(c) In a prosecution for theft as defined in K.S.A. 2020 Supp. 21-5801, and amendments thereto, and such theft is of services, the existence of any of the connections of meters, alterations or use of unauthorized or unmeasured electricity, natural gas, water, telephone service or cable television service, caused by tampering, shall be prima facie evidence of intent to commit theft of services by the person or persons using or receiving the direct benefits from the use of the electricity, natural gas, water, telephone service or cable television service passing through such connections or

meters, or using the electricity, natural gas, water, telephone service or cable television service which has not been authorized or measured.

(d) In a prosecution for theft as defined in K.S.A. 2020 Supp. 21-5801, and amendments thereto, and such theft is of regulated scrap metal as defined in K.S.A. 2020 Supp. 50-6,109, and amendments thereto, either in whole or in part, the failure to give information or the giving of false information to a scrap metal dealer pursuant to the requirements of the scrap metal theft reduction act, the transportation of regulated scrap metal outside the county from where it was obtained, the transportation of regulated scrap metal across state lines or the alteration of any regulated scrap metal prior to any transaction with a scrap metal dealer shall be prima facie evidence of intent to permanently deprive the owner of the regulated scrap metal of the possession, use or benefit thereof.

(e) In a prosecution for theft as defined in K.S.A. 2020 Supp. 21-5801, and amendments thereto, and such theft is of a motor vehicle as defined in K.S.A. 8-126, and amendments thereto, fleeing or attempting to elude a police officer as defined in K.S.A. 8-1568(a)(1)(B) or (b), and amendments thereto, shall be prima facie evidence of intent to permanently deprive the owner of the motor vehicle of the possession, use or benefit thereof.

(f) As used in this section:

(1) "Notice" means notice in writing and such notice in writing will be presumed to have been given three days following deposit of the notice as registered or certified matter in the United States mail, addressed to such person who has leased or rented the personal property or borrowed the library material at the address as it appears in the information supplied by such person at the time of such leasing, renting or borrowing, or to such person's last known address; and

(2) "tampering" includes, but is not limited to:

(A) Making a connection of any wire, conduit or device, to any service or transmission line owned by a public or municipal utility, or by a cable television service provider;

(B) defacing, puncturing, removing, reversing or altering any meter or any connections, for the purpose of securing unauthorized or unmeasured electricity, natural gas, water, telephone service or cable television service;

(C) preventing any such meters from properly measuring or registering;

(D) knowingly taking, receiving, using or converting to such person's own use, or the use of another;

(i) Any electricity, water or natural gas ~~which that~~ has not been measured; or

(ii) any telephone or cable television service ~~which that~~ has not been authorized; or

(E) causing, procuring, permitting, aiding or abetting any person to do any of the preceding acts described in subparagraphs (A) through (D).

Sec. 7. K.S.A. 2020 Supp. 22-4902 is hereby amended to read as follows: 22-4902. As used in the Kansas offender registration act, unless the context otherwise requires:

(a) "Offender" means:

(1) A sex offender;

(2) a violent offender;

(3) a drug offender;

(4) any person who has been required to register under out-of-state law or is otherwise required to be registered; and

(5) any person required by court order to register for an offense not otherwise required as provided in the Kansas offender registration act.

(b) "Sex offender" includes any person who:

(1) On or after April 14, 1994, is convicted of any sexually violent crime;

(2) on or after July 1, 2002, is adjudicated as a juvenile offender for an act which if committed by an adult would constitute the commission of a sexually violent crime, unless the court, on the record, finds that the act involved non-forcible sexual conduct, the victim was at least 14 years of age and the offender was not more than four years older than the victim;

(3) has been determined to be a sexually violent predator;

(4) on or after July 1, 1997, is convicted of any of the following crimes when one of the parties involved is less than 18 years of age:

(A) Adultery, as defined in K.S.A. 21-3507, prior to its repeal, or K.S.A. 2020 Supp. 21-5511, and amendments thereto;

(B) criminal sodomy, as defined in K.S.A. 21-3505(a)(1), prior to its repeal, or K.S.A. 2020 Supp. 21-5504(a)(1) or (a)(2), and amendments thereto;

(C) promoting prostitution, as defined in K.S.A. 21-3513, prior to its repeal, or K.S.A. 2020 Supp. 21-6420, prior to its amendment by section 17 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013;

(D) patronizing a prostitute, as defined in K.S.A. 21-3515, prior to its repeal, or K.S.A. 2020 Supp. 21-6421, prior to its amendment by section 18 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013; or

(E) lewd and lascivious behavior, as defined in K.S.A. 21-3508, prior to its repeal, or K.S.A. 2020 Supp. 21-5513, and amendments thereto;

(5) is convicted of sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or K.S.A. 2020 Supp. 21-5505(a), and amendments thereto;

(6) is convicted of sexual extortion, as defined in section 1, and amendments thereto;

(7) is convicted of an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2020 Supp. 21-5301, 21-5302, 21-5303, and amendments thereto, of an offense defined in this subsection; or

~~(7)~~(8) has been convicted of an offense that is comparable to any crime defined in this subsection, or any out-of-state conviction for an offense that under the laws of this state would be an offense defined in this subsection.

(c) "Sexually violent crime" means:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2020 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child, as defined in K.S.A. 21-3503, prior to its repeal, or K.S.A. 2020 Supp. 21-5506(a), and amendments thereto;

(3) aggravated indecent liberties with a child, as defined in K.S.A. 21-3504, prior to its repeal, or K.S.A. 2020 Supp. 21-5506(b), and amendments thereto;

(4) criminal sodomy, as defined in K.S.A. 21-3505(a)(2) or (a)(3), prior to its repeal, or K.S.A. 2020 Supp. 21-5504(a)(3) or (a)(4), and amendments thereto;

(5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2020 Supp. 21-5504(b), and amendments thereto;

(6) indecent solicitation of a child, as defined in K.S.A. 21-3510, prior to its repeal,

or K.S.A. 2020 Supp. 21-5508(a), and amendments thereto;

(7) aggravated indecent solicitation of a child, as defined in K.S.A. 21-3511, prior to its repeal, or K.S.A. 2020 Supp. 21-5508(b), and amendments thereto;

(8) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2020 Supp. 21-5510, and amendments thereto;

(9) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2020 Supp. 21-5505(b), and amendments thereto;

(10) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2020 Supp. 21-5604(b), and amendments thereto;

(11) electronic solicitation, as defined in K.S.A. 21-3523, prior to its repeal, and K.S.A. 2020 Supp. 21-5509, and amendments thereto;

(12) unlawful sexual relations, as defined in K.S.A. 21-3520, prior to its repeal, or K.S.A. 2020 Supp. 21-5512, and amendments thereto;

(13) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2020 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the defendant or another;

(14) commercial sexual exploitation of a child, as defined in K.S.A. 2020 Supp. 21-6422, and amendments thereto;

(15) promoting the sale of sexual relations, as defined in K.S.A. 2020 Supp. 21-6420, and amendments thereto;

(16) any conviction or adjudication for an offense that is comparable to a sexually violent crime as defined in this subsection, or any out-of-state conviction or adjudication for an offense that under the laws of this state would be a sexually violent crime as defined in this subsection;

(17) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2020 Supp. 21-5301, 21-5302, 21-5303, and amendments thereto, of a sexually violent crime, as defined in this subsection; or

(18) any act which has been determined beyond a reasonable doubt to have been sexually motivated, unless the court, on the record, finds that the act involved non-forcible sexual conduct, the victim was at least 14 years of age and the offender was not more than four years older than the victim. As used in this paragraph, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.

(d) "Sexually violent predator" means any person who, on or after July 1, 2001, is found to be a sexually violent predator pursuant to K.S.A. 59-29a01 et seq., and amendments thereto.

(e) "Violent offender" includes any person who:

(1) On or after July 1, 1997, is convicted of any of the following crimes:

(A) Capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2020 Supp. 21-5401, and amendments thereto;

(B) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2020 Supp. 21-5402, and amendments thereto;

(C) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2020 Supp. 21-5403, and amendments thereto;

(D) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2020 Supp. 21-5404, and amendments thereto;

(E) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2020 Supp. 21-5405(a)(1), (a)(2) or (a)(4), and amendments thereto. The provisions of this paragraph shall not apply to violations of K.S.A. 2020 Supp. 21-5405(a)(3), and amendments thereto, which occurred on or after July 1, 2011, through July 1, 2013;

(F) kidnapping, as defined in K.S.A. 21-3420, prior to its repeal, or K.S.A. 2020 Supp. 21-5408(a), and amendments thereto;

(G) aggravated kidnapping, as defined in K.S.A. 21-3421, prior to its repeal, or K.S.A. 2020 Supp. 21-5408(b), and amendments thereto;

(H) criminal restraint, as defined in K.S.A. 21-3424, prior to its repeal, or K.S.A. 2020 Supp. 21-5411, and amendments thereto, except by a parent, and only when the victim is less than 18 years of age; or

(I) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2020 Supp. 21-5426(b), and amendments thereto, if not committed in whole or in part for the purpose of the sexual gratification of the defendant or another;

(2) on or after July 1, 2006, is convicted of any person felony and the court makes a finding on the record that a deadly weapon was used in the commission of such person felony;

(3) has been convicted of an offense that is comparable to any crime defined in this subsection, any out-of-state conviction for an offense that under the laws of this state would be an offense defined in this subsection; or

(4) is convicted of an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2020 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(f) "Drug offender" includes any person who, on or after July 1, 2007:

(1) Is convicted of any of the following crimes:

(A) Unlawful manufacture or attempting such of any controlled substance or controlled substance analog, as defined in K.S.A. 65-4159, prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, or K.S.A. 2020 Supp. 21-5703, and amendments thereto;

(B) possession of ephedrine, pseudoephedrine, red phosphorus, lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized ammonia or phenylpropanolamine, or their salts, isomers or salts of isomers with intent to use the product to manufacture a controlled substance, as defined in K.S.A. 65-7006(a), prior to its repeal, K.S.A. 2010 Supp. 21-36a09(a), prior to its transfer, or K.S.A. 2020 Supp. 21-5709(a), and amendments thereto;

(C) K.S.A. 65-4161, prior to its repeal, K.S.A. 2010 Supp. 21-36a05(a)(1), prior to its transfer, or K.S.A. 2020 Supp. 21-5705(a)(1), and amendments thereto. The provisions of this paragraph shall not apply to violations of K.S.A. 2010 Supp. 21-36a05(a)(2) through (a)(6) or (b) which occurred on or after July 1, 2009, through April 15, 2010;

(2) has been convicted of an offense that is comparable to any crime defined in this subsection, any out-of-state conviction for an offense that under the laws of this state would be an offense defined in this subsection; or

(3) is or has been convicted of an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2020

Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(g) Convictions or adjudications which result from or are connected with the same act, or result from crimes committed at the same time, shall be counted for the purpose of this section as one conviction or adjudication. Any conviction or adjudication set aside pursuant to law is not a conviction or adjudication for purposes of this section. A conviction or adjudication from any out-of-state court shall constitute a conviction or adjudication for purposes of this section.

(h) "School" means any public or private educational institution, including, but not limited to, postsecondary school, college, university, community college, secondary school, high school, junior high school, middle school, elementary school, trade school, vocational school or professional school providing training or education to an offender for three or more consecutive days or parts of days, or for 10 or more nonconsecutive days in a period of 30 consecutive days.

(i) "Employment" means any full-time, part-time, transient, day-labor employment or volunteer work, with or without compensation, for three or more consecutive days or parts of days, or for 10 or more nonconsecutive days in a period of 30 consecutive days.

(j) "Reside" means to stay, sleep or maintain with regularity or temporarily one's person and property in a particular place other than a location where the offender is incarcerated. It shall be presumed that an offender resides at any and all locations where the offender stays, sleeps or maintains the offender's person for three or more consecutive days or parts of days, or for ten or more nonconsecutive days in a period of 30 consecutive days.

(k) "Residence" means a particular and definable place where an individual resides. Nothing in the Kansas offender registration act shall be construed to state that an offender may only have one residence for the purpose of such act.

(l) "Transient" means having no fixed or identifiable residence.

(m) "Law enforcement agency having initial jurisdiction" means the registering law enforcement agency of the county or location of jurisdiction where the offender expects to most often reside upon the offender's discharge, parole or release.

(n) "Registering law enforcement agency" means the sheriff's office or tribal police department responsible for registering an offender.

(o) "Registering entity" means any person, agency or other governmental unit, correctional facility or registering law enforcement agency responsible for obtaining the required information from, and explaining the required registration procedures to, any person required to register pursuant to the Kansas offender registration act. "Registering entity" shall include, but not be limited to, sheriff's offices, tribal police departments and correctional facilities.

(p) "Treatment facility" means any public or private facility or institution providing inpatient mental health, drug or alcohol treatment or counseling, but does not include a hospital, as defined in K.S.A. 65-425, and amendments thereto.

(q) "Correctional facility" means any public or private correctional facility, juvenile detention facility, prison or jail.

(r) "Out-of-state" means: the District of Columbia; any federal, military or tribal jurisdiction, including those within this state; any foreign jurisdiction; or any state or territory within the United States, other than this state.

(s) "Duration of registration" means the length of time during which an offender is

required to register for a specified offense or violation.

(t) (1) Notwithstanding any other provision of this section, "offender" shall not include any person who is:

(A) Convicted of unlawful transmission of a visual depiction of a child, as defined in K.S.A. 2020 Supp. 21-5611(a), and amendments thereto, aggravated unlawful transmission of a visual depiction of a child, as defined in K.S.A. 2020 Supp. 21-5611(b), and amendments thereto, or unlawful possession of a visual depiction of a child, as defined in K.S.A. 2020 Supp. 21-5610, and amendments thereto;~~or~~

(B) adjudicated as a juvenile offender for an act which if committed by an adult would constitute the commission of a crime defined in subsection (t)(1)(A); or

(C) adjudicated as a juvenile offender for an act which if committed by an adult would constitute the commission of sexual extortion as defined in section 1, and amendments thereto.

(2) Notwithstanding any other provision of law, a court shall not order any person to register under the Kansas offender registration act for the offenses described in subsection (t)(1).

Sec. 8. K.S.A. 2020 Supp. 22-4906 is hereby amended to read as follows: 22-4906.

(a) (1) Except as provided in subsection (c), if convicted of any of the following offenses, an offender's duration of registration shall be, if confined, 15 years after the date of parole, discharge or release, whichever date is most recent, or, if not confined, 15 years from the date of conviction:

(A) Sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or K.S.A. 2020 Supp. 21-5505(a), and amendments thereto;

(B) adultery, as defined in K.S.A. 21-3507, prior to its repeal, or K.S.A. 2020 Supp. 21-5511, and amendments thereto, when one of the parties involved is less than 18 years of age;

(C) promoting the sale of sexual relations, as defined in K.S.A. 2020 Supp. 21-6420, and amendments thereto;

(D) patronizing a prostitute, as defined in K.S.A. 21-3515, prior to its repeal, or K.S.A. 2020 Supp. 21-6421, prior to its amendment by section 18 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013, when one of the parties involved is less than 18 years of age;

(E) lewd and lascivious behavior, as defined in K.S.A. 21-3508, prior to its repeal, or K.S.A. 2020 Supp. 21-5513, and amendments thereto, when one of the parties involved is less than 18 years of age;

(F) capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2020 Supp. 21-5401, and amendments thereto;

(G) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2020 Supp. 21-5402, and amendments thereto;

(H) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2020 Supp. 21-5403, and amendments thereto;

(I) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2020 Supp. 21-5404, and amendments thereto;

(J) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2020 Supp. 21-5405(a)(1), (a)(2) or (a)(4), and amendments thereto;

(K) criminal restraint, as defined in K.S.A. 21-3424, prior to its repeal, or K.S.A. 2020 Supp. 21-5411, and amendments thereto, except by a parent, and only when the

victim is less than 18 years of age;

(L) sexual extortion, as defined in section 1, and amendments thereto, when one of the parties involved is less than 18 years of age;

(M) any act which has been determined beyond a reasonable doubt to have been sexually motivated, unless the court, on the record, finds that the act involved non-forcible sexual conduct, the victim was at least 14 years of age and the offender was not more than four years older than the victim;

~~(M)(N)~~ conviction of any person required by court order to register for an offense not otherwise required as provided in the Kansas offender registration act;

~~(N)(O)~~ conviction of any person felony and the court makes a finding on the record that a deadly weapon was used in the commission of such person felony;

~~(O)(P)~~ unlawful manufacture or attempting such of any controlled substance or controlled substance analog, as defined in K.S.A. 65-4159, prior to its repeal, K.S.A. 2010 Supp. 21-36a03, prior to its transfer, or K.S.A. 2020 Supp. 21-5703, and amendments thereto;

~~(P)(Q)~~ possession of ephedrine, pseudoephedrine, red phosphorus, lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized ammonia or phenylpropanolamine, or their salts, isomers or salts of isomers with intent to use the product to manufacture a controlled substance, as defined by K.S.A. 65-7006(a), prior to its repeal, K.S.A. 2010 Supp. 21-36a09(a), prior to its transfer, or K.S.A. 2020 Supp. 21-5709(a), and amendments thereto;

~~(Q)(R)~~ K.S.A. 65-4161, prior to its repeal, K.S.A. 2010 Supp. 21-36a05(a)(1), prior to its transfer, or K.S.A. 2020 Supp. 21-5705(a)(1), and amendments thereto; or

~~(R)(S)~~ any attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2020 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(2) Except as otherwise provided by the Kansas offender registration act, the duration of registration terminates, if not confined, at the expiration of 15 years from the date of conviction. Any period of time during which any offender is incarcerated in any jail or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration.

(b) (1) Except as provided in subsection (c), if convicted of any of the following offenses, an offender's duration of registration shall be, if confined, 25 years after the date of parole, discharge or release, whichever date is most recent, or, if not confined, 25 years from the date of conviction:

(A) Criminal sodomy, as defined in K.S.A. 21-3505(a)(1), prior to its repeal, or K.S.A. 2020 Supp. 21-5504(a)(1) or (a)(2), and amendments thereto, when one of the parties involved is less than 18 years of age;

(B) indecent solicitation of a child, as defined in K.S.A. 21-3510, prior to its repeal, or K.S.A. 2020 Supp. 21-5508(a), and amendments thereto;

(C) electronic solicitation, as defined in K.S.A. 21-3523, prior to its repeal, or K.S.A. 2020 Supp. 21-5509, and amendments thereto;

(D) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2020 Supp. 21-5604(b), and amendments thereto;

(E) indecent liberties with a child, as defined in K.S.A. 21-3503, prior to its repeal, or K.S.A. 2020 Supp. 21-5506(a), and amendments thereto;

(F) unlawful sexual relations, as defined in K.S.A. 21-3520, prior to its repeal, or K.S.A. 2020 Supp. 21-5512, and amendments thereto;

(G) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2020 Supp. 21-5510, and amendments thereto, if the victim is 14 or more years of age but less than 18 years of age;

(H) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2020 Supp. 21-5505(b), and amendments thereto;

(I) promoting prostitution, as defined in K.S.A. 21-3513, prior to its repeal, or K.S.A. 2020 Supp. 21-6420, prior to its amendment by section 17 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013, if the person selling sexual relations is 14 or more years of age but less than 18 years of age; or

(J) any attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2020 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(2) Except as otherwise provided by the Kansas offender registration act, the duration of registration terminates, if not confined, at the expiration of 25 years from the date of conviction. Any period of time during which any offender is incarcerated in any jail or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration.

(c) Upon a second or subsequent conviction of an offense requiring registration, an offender's duration of registration shall be for such offender's lifetime.

(d) The duration of registration for any offender who has been convicted of any of the following offenses shall be for such offender's lifetime:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2020 Supp. 21-5503, and amendments thereto;

(2) aggravated indecent solicitation of a child, as defined in K.S.A. 21-3511, prior to its repeal, or K.S.A. 2020 Supp. 21-5508(b), and amendments thereto;

(3) aggravated indecent liberties with a child, as defined in K.S.A. 21-3504, prior to its repeal, or K.S.A. 2020 Supp. 21-5506(b), and amendments thereto;

(4) criminal sodomy, as defined in K.S.A. 21-3505(a)(2) or (a)(3), prior to its repeal, or K.S.A. 2020 Supp. 21-5504(a)(3) or (a)(4), and amendments thereto;

(5) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2020 Supp. 21-5504(b), and amendments thereto;

(6) aggravated human trafficking, as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2020 Supp. 21-5426(b), and amendments thereto;

(7) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2020 Supp. 21-5510, and amendments thereto, if the victim is less than 14 years of age;

(8) promoting prostitution, as defined in K.S.A. 21-3513, prior to its repeal, or K.S.A. 2020 Supp. 21-6420, prior to its amendment by section 17 of chapter 120 of the 2013 Session Laws of Kansas on July 1, 2013, if the person selling sexual relations is less than 14 years of age;

(9) kidnapping, as defined in K.S.A. 21-3420, prior to its repeal, or K.S.A. 2020 Supp. 21-5408(a), and amendments thereto;

(10) aggravated kidnapping, as defined in K.S.A. 21-3421, prior to its repeal, or K.S.A. 2020 Supp. 21-5408(b), and amendments thereto;

(11) commercial sexual exploitation of a child, as defined in K.S.A. 2020 Supp. 21-6422, and amendments thereto; or

(12) any attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303, prior to their repeal, or K.S.A. 2020 Supp. 21-5301, 21-5302 and 21-5303, and amendments thereto, of an offense defined in this subsection.

(e) Any person who has been declared a sexually violent predator pursuant to K.S.A. 59-29a01 et seq., and amendments thereto, shall register for such person's lifetime.

(f) Notwithstanding any other provisions of this section, for an offender less than 14 years of age who is adjudicated as a juvenile offender for an act which if committed by an adult would constitute a sexually violent crime set forth in K.S.A. 22-4902(c), and amendments thereto, the court shall:

(1) Require registration until such offender reaches 18 years of age, at the expiration of five years from the date of adjudication or, if confined, from release from confinement, whichever date occurs later. Any period of time during which the offender is incarcerated in any jail, juvenile facility or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration;

(2) not require registration if the court, on the record, finds substantial and compelling reasons therefor; or

(3) require registration, but such registration information shall not be open to inspection by the public or posted on any internet website, as provided in K.S.A. 22-4909, and amendments thereto. If the court requires registration but such registration is not open to the public, such offender shall provide a copy of such court order to the registering law enforcement agency at the time of registration. The registering law enforcement agency shall forward a copy of such court order to the Kansas bureau of investigation.

If such offender violates a condition of release during the term of the conditional release, the court may require such offender to register pursuant to paragraph (1).

(g) Notwithstanding any other provisions of this section, for an offender 14 years of age or more who is adjudicated as a juvenile offender for an act which if committed by an adult would constitute a sexually violent crime set forth in K.S.A. 22-4902(c), and amendments thereto, and such crime is not an off-grid felony or a felony ranked in severity level 1 of the nondrug grid as provided in K.S.A. 21-4704, prior to its repeal, or K.S.A. 2020 Supp. 21-6804, and amendments thereto, the court shall:

(1) Require registration until such offender reaches 18 years of age, at the expiration of five years from the date of adjudication or, if confined, from release from confinement, whichever date occurs later. Any period of time during which the offender is incarcerated in any jail, juvenile facility or correctional facility or during which the offender does not comply with any and all requirements of the Kansas offender registration act shall not count toward the duration of registration;

(2) not require registration if the court, on the record, finds substantial and compelling reasons therefor; or

(3) require registration, but such registration information shall not be open to inspection by the public or posted on any internet website, as provided in K.S.A. 22-4909, and amendments thereto. If the court requires registration but such registration is not open to the public, such offender shall provide a copy of such court order to the

registering law enforcement agency at the time of registration. The registering law enforcement agency shall forward a copy of such court order to the Kansas bureau of investigation.

If such offender violates a condition of release during the term of the conditional release, the court may require such offender to register pursuant to paragraph (1).

(h) Notwithstanding any other provisions of this section, an offender 14 years of age or more who is adjudicated as a juvenile offender for an act which if committed by an adult would constitute a sexually violent crime set forth in K.S.A. 22-4902(c), and amendments thereto, and such crime is an off-grid felony or a felony ranked in severity level 1 of the nondrug grid as provided in K.S.A. 21-4704, prior to its repeal, or K.S.A. 2020 Supp. 21-6804, and amendments thereto, shall be required to register for such offender's lifetime.

(i) Notwithstanding any other provision of law, if a diversionary agreement or probation order, either adult or juvenile, or a juvenile offender sentencing order, requires registration under the Kansas offender registration act for an offense that would not otherwise require registration as provided in K.S.A. 22-4902(a)(5), and amendments thereto, then all provisions of the Kansas offender registration act shall apply, except that the duration of registration shall be controlled by such diversionary agreement, probation order or juvenile offender sentencing order.

(j) The duration of registration does not terminate if the convicted or adjudicated offender again becomes liable to register as provided by the Kansas offender registration act during the required period of registration.

(k) For any person moving to Kansas who has been convicted or adjudicated in an out-of-state court, or who was required to register under an out-of-state law, the duration of registration shall be the length of time required by the out-of-state jurisdiction or by the Kansas offender registration act, whichever length of time is longer. The provisions of this subsection shall apply to convictions or adjudications prior to June 1, 2006, and to persons who moved to Kansas prior to June 1, 2006, and to convictions or adjudications on or after June 1, 2006, and to persons who moved to Kansas on or after June 1, 2006.

(l) For any person residing, maintaining employment or attending school in this state who has been convicted or adjudicated by an out-of-state court of an offense that is comparable to any crime requiring registration pursuant to the Kansas offender registration act, but who was not required to register in the jurisdiction of conviction or adjudication, the duration of registration shall be the duration required for the comparable offense pursuant to the Kansas offender registration act.";

Also on page 2, in line 2, after "Supp." by inserting "8-1568,"; also in line 2, by striking "is" and inserting ", 21-5505, 21-5804, 22-4902 and 22-4906 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "creating the crime of sexual extortion and requiring registration of offenders; prohibiting a court from requiring psychiatric or psychological examinations of an alleged victim of any crime; relating to fleeing or attempting to elude a police officer; increasing penalties thereof when operating a stolen motor vehicle, committing certain driving violations or causing a collision involving another driver;"; in line 3, after the semicolon by inserting "removing the spousal exception from the crime of sexual battery; relating to evidence of intent to deprive owner of property for the crime of theft;"; in line 4, after "Supp." by

inserting "8-1568,"; also in line 4, after "21-5106" by inserting ", 21-5505, 21-5804, 22-4902 and 22-4906"; in line 5, by striking "section" and inserting "sections";

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

FRED PATTON  
BRADLEY RALPH  
JOHN CARMICHAEL

*Conferees on part of House*

KELLIE WARREN  
RICHARD WILBORN  
DAVID HALEY

*Conferees on part of Senate*

On motion of Rep. Patton, the conference committee report on **SB 60** was adopted.

On roll call, the vote was: Yeas 118; Nays 3; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: T. Johnson, Miller, Samsel.

Present but not voting: None.

Absent or not voting: Awerkamp, Bishop, Howard, Neighbor.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 47** 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 of the Whole amendments, as follows:

On page 1, in line 8, before "Section" by inserting "New"; in line 10, after "act" by inserting "and shall be effective on and after January 1, 2022"; in line 11, before "Sec." by inserting "New"; in line 27, before "Sec." by inserting "New";

On page 2, in line 15, before "Sec." by inserting "New";

On page 3, in line 37, before "Sec." by inserting "New";

On page 4, in line 15, before "Sec." by inserting "New"; following line 16, by inserting:

"New Sec. 7. (a) For taxable years commencing after December 31, 2020, and before January 1, 2026, there shall be allowed a credit against the tax imposed by the Kansas income tax act and the privilege tax pursuant to K.S.A. 79-1106 et seq., and

amendments thereto, in an amount equal to 50% of the total amount contributed during the taxable year by a taxpayer subject to income tax pursuant to K.S.A. 79-32,110(a) or (c), and amendments thereto, or subject to the privilege tax pursuant to K.S.A. 79-1107 and 79-1108, and amendments thereto, to the Eisenhower foundation.

(b) The amount of such credit awarded to a taxpayer in a taxable year pursuant to this section shall not exceed:

(1) \$25,000 for any taxpayer subject to the income tax on resident individuals imposed pursuant to K.S.A. 79-32,110(a), and amendments thereto; or

(2) \$50,000 for any taxpayer subject to the income tax on corporations imposed pursuant to K.S.A. 79-32,110(c), and amendments thereto, or the privilege tax on financial institutions pursuant to K.S.A. 79-1107 and 79-1108, and amendments thereto.

(c) The aggregate amount of credits claimed pursuant to this section shall not exceed \$350,000 for any fiscal year.

(d) The credit allowed by this section shall not exceed the amount of tax imposed under the Kansas income tax act or the privilege tax reduced by the sum of any other credits allowable pursuant to law. Such credit shall be deducted from the taxpayer's income or privilege tax liability for the taxable year in which the contributions are made by the taxpayer. The taxpayer shall not be allowed to carry over any amount of such credit exceeding the taxpayer's income or privilege tax liability.

New Sec. 8. (a) For taxable years commencing after December 31, 2020, and before January 1, 2026, there shall be allowed a credit against the tax imposed by the Kansas income tax act and the privilege tax pursuant to K.S.A. 79-1106 et seq., and amendments thereto, in an amount equal to 50% of the total amount contributed during the taxable year by a taxpayer subject to income tax pursuant to K.S.A. 79-32,110(a) or (c), and amendments thereto, or subject to the privilege tax pursuant to K.S.A. 79-1107 and 79-1108, and amendments thereto, to the friends of cedar crest association.

(b) The amount of such credit awarded to a taxpayer in a taxable year pursuant to this section shall not exceed:

(1) \$25,000 for any taxpayer subject to the income tax on resident individuals imposed pursuant to K.S.A. 79-32,110(a), and amendments thereto; or

(2) \$50,000 for any taxpayer subject to the income tax on corporations imposed pursuant to K.S.A. 79-32,110(c), and amendments thereto, or the privilege tax on financial institutions pursuant to K.S.A. 79-1107 and 79-1108, and amendments thereto.

(c) The aggregate amount of credits claimed pursuant to this section shall not exceed \$350,000 for any fiscal year.

(d) The credit allowed by this section shall not exceed the amount of tax imposed under the Kansas income tax act or the privilege tax reduced by the sum of any other credits allowable pursuant to law. Such credit shall be deducted from the taxpayer's income or privilege tax liability for the taxable year in which the contributions are made by the taxpayer. The taxpayer shall not be allowed to carry forward any amount of such credit exceeding the taxpayer's income or privilege tax liability.

New Sec. 9. For the period of January 1, 2021, through December 31, 2022, for

wages paid to employees who are temporarily teleworking in a state other than their primary work location, employers shall have the option to continue to withhold income taxes based on the state of the employee's primary work location and not based on the state in which the employee is teleworking or otherwise working during the COVID-19 pandemic. If any provisions of K.S.A. 79-3296, and amendments thereto, are in conflict with the provisions of this section, the provisions of this section shall control.

New Sec. 10. (a) Notwithstanding any other provision of law, for any individual whose identity was fraudulently used to secure any type of compensation, if such individual never received such compensation, such compensation shall not be considered gross income and shall not be taxable for Kansas income tax purposes after determination by the department of revenue that the compensation was obtained fraudulently by another individual.

(b) The department of revenue shall provide a method for any taxpayer subject to the Kansas income tax act to report to the department of revenue whether such taxpayer was a victim of fraud due to identity theft and whether such fraud resulted in the reporting of any income to the federal internal revenue service. The report shall include, but not be limited to, the amount of the income reported to the federal internal revenue service due to fraud, if known.

Sec. 11. K.S.A. 74-50,222 is hereby amended to read as follows: 74-50,222. As used in K.S.A. 74-50,222, 74-50,223 and 79-32,267, and amendments thereto:

(a) "Institution of higher education" means a public or private nonprofit educational institution that meets the requirements of participation in programs under the higher education act of 1965, as amended, 34 C.F.R. § 600;

(b) "rural opportunity zone" means ~~Allen, Anderson, Barber, Bourbon, Brown, Chase, Chautauqua, Cherokee, Cheyenne, Clark, Clay, Cloud, Coffey, Comanche, Decatur, Doniphan, Edwards, Elk, Ellsworth, Gove, Graham, Grant, Gray, Greeley, Greenwood, Hamilton, Harper, Haskell, Hodgeman, Jackson, Jewell, Kearny, Kingman, Kiowa, Labette, Lane, Lincoln, Linn, Logan, Marion, Marshall, Meade, Mitchell, Montgomery, Morris, Morton, Nemaha, Neosho, Ness, Norton, Osborne, Ottawa, Pawnee, Phillips, Pratt, Rawlins, Republic, Rice, Rooks, Rush, Russell, Scott, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Sumner, Trego, Thomas, Wabaunsee, Wallace, Washington, Wichita, Wilson or Woodson counties~~ a county with a population of 40,000 persons or less;

(c) "secretary" means the secretary of commerce; and

(d) "student loan" means a federal student loan program supported by the federal government and a nonfederal loan issued by a lender such as a bank, savings and loan or credit union to help students and parents pay school expenses for attendance at an institution of higher education.

Sec. 12. K.S.A. 74-50,223 is hereby amended to read as follows: 74-50,223. (a) Any county that has been designated a rural opportunity zone pursuant to K.S.A. 74-50,222, and amendments thereto, may participate in the program provided in this section by authorizing such participation by the county commission of such county through a duly enacted written resolution. Such county shall provide a certified copy of such resolution to the secretary of commerce on or before January 1, 2012, for calendar year 2012, or on or before January 1 for each calendar year thereafter, in which a county

chooses to participate. Such resolution shall obligate the county to participate in the program provided by this section for a period of five years, and shall be irrevocable. Such resolution shall specify the maximum amount of outstanding student loan balance for each resident individual to be repaid as provided in subsection (b), except the maximum amount of such balance shall be \$15,000.

(b) If a county submits a resolution as provided in subsection (a), under the program provided in this section, subject to subsection (d), the state of Kansas and such county which chooses to participate as provided in subsection (a), shall agree to pay in equal shares the outstanding student loan balance of any resident individual who qualifies to have such individual's student loans repaid under the provisions of subsection (c) over a five-year period, except that the maximum amount of such balance shall be \$15,000. The amount of such repayment shall be equal to 20% of the outstanding student loan balance of the individual in a year over the five-year repayment period. The state of Kansas is not obligated to pay the student loan balance of any resident individual who qualifies pursuant to subsection (c) prior to the county submitting a resolution to the secretary pursuant to subsection (a). Each such county shall certify to the secretary that such county has made the payment required by this subsection.

(c) A resident individual shall be entitled to have such individual's outstanding student loan balance paid for attendance at an institution of higher education where such resident individual earned an associate, bachelor or post-graduate degree under the provisions of this section when such resident individual establishes domicile in a county designated as a rural opportunity zone which participates in the program as provided in subsection (a), on and after the date in which such county commenced such participation, and prior to July 1, ~~2021~~ 2023. Such resident individual may enroll in this program in a form and manner prescribed by the secretary. Subject to subsection (d), once enrolled such resident individual shall be entitled to full participation in the program for five years, except that if the resident individual relocates outside the rural opportunity zone for which the resident individual first qualified, such resident individual forfeits such individual's eligibility to participate, and obligations under this section of the state and the county terminate. No resident individual shall enroll and be eligible to participate in this program after June 30, ~~2021~~ 2023.

(d) The provisions of this act shall be subject to appropriation acts. Nothing in this act guarantees a resident individual a right to the benefits provided in this section. The county may continue to participate even if the state does not participate.

(e) The secretary shall adopt rules and regulations necessary to administer the provisions of this section.

(f) On January 1, 2012, and annually thereafter until January 1, ~~2022~~ 2024, the secretary of commerce shall report to the senate committee on assessment and taxation and the house of representatives committee on taxation as to how many residents applied for the rural opportunity zone tax credit.

Sec. 13. K.S.A. 79-3221 is hereby amended to read as follows: 79-3221. (a) All returns required by this act shall be made as nearly as practical in the same form as the corresponding form of income tax return by the United States. Unless another identifying number has been assigned to an individual by the internal revenue service for purposes of filing such individual's federal income tax return, the social security number issued to an individual, the individual's spouse, and all dependents of such

individual for purposes of section 205(c)(2)(A) of the social security act shall be used as the identifying number and included on the return when filing such return.

(b) All returns shall be filed in the office of the director of taxation on or before the 15<sup>th</sup> day of the fourth month following the close of the taxable year, except as provided in subsection (c) hereof. Tentative returns may be filed before the close of the taxable year and the estimated tax computed on such return, paid, but no interest will be paid on any overpayment of tax liability, computed on such tentative return.

(c)(1) The director of taxation may grant a reasonable extension of time for filing returns in accordance with rules and regulations of the secretary of revenue. Whenever any such extension of time to file is requested by a taxpayer and granted by the director with respect to any tax year commencing after December 31, 1992, no penalty authorized by K.S.A. 79-3228, and amendments thereto, shall be imposed if 90% of the liability is paid on or before the original due date.

(2) For any tax year commencing after December 31, 2019, any taxpayer filing a corporate tax return shall file the return in the office of the director of taxation:

(A) No later than one month after the due date established under the federal internal revenue code, including any applicable extensions granted by the internal revenue service; and

(B) no penalty authorized by K.S.A. 79-3228, and amendments thereto, shall be imposed if the return is filed within one month after receiving an extension to file a tax return with the internal revenue service. The taxpayer shall not be required to file an extension request with the director pursuant to this subparagraph.

(3) For any tax year commencing after December 31, 2019, any taxpayer filing a return, other than a corporate tax return, shall file the return in the office of the director of taxation not later than the due date established under the federal internal revenue code, including any applicable extensions granted by the internal revenue service. No penalty authorized by K.S.A. 79-3228, and amendments thereto, shall be imposed if the return is filed not later than the deadline established by the internal revenue service. The taxpayer shall not be required to file an extension request with the director pursuant to this paragraph.

(d) In the case of an individual serving in the armed forces of the United States, or serving in support of such armed forces, in an area designated by the president of the United States by executive order as a "combat zone" as defined under 26 U.S.C. § 112 at any time during the period designated by the president by executive order as the period of combatant activities in such zone for the purposes of such section, or hospitalized as a result of injury received or sickness incurred while serving in such an area during such time, the period of service in such area, plus the period of continuous qualified hospitalization attributable to such injury or sickness, and the next 180 days thereafter, shall be disregarded in determining, under article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, in respect to any tax liability, including any interest, penalty, additional amount, or addition to the tax, of such individual:

(1) Whether any of the following acts was performed within the time prescribed therefor: (A) Filing any return of income tax; (B) payment of any income tax or installment thereof; (C) filing a notice of appeal with the director of taxation or the state board of tax appeals for redetermination of a deficiency or for a review of a decision rendered by either the director or the state board of tax appeals; (D) allowance of a

credit or refund of any income tax; (E) filing a claim for credit or refund of any income tax; (F) bringing suit upon any such claim for credit or refund; (G) assessment of any income tax; (H) giving or making any notice or demand for the payment of any income tax, or with respect to any liability to the state of Kansas in respect of any income tax; (I) collection, by the director of taxation or the director's agent, by warrant, levy or otherwise, of the amount of any liability in respect to any income tax; (J) bringing suit by the state of Kansas, or any officer on its behalf, in respect to any liability in respect of any income tax; and (K) any other act required or permitted under the Kansas income tax act specified in rules and regulations adopted by the secretary of revenue under this section;

(2) the amount of any credit or refund.

(e) (1) Subsection (d) shall not apply for purposes of determining the amount of interest on any overpayment of tax.

(2) If an individual is entitled to the benefits of subsection (d) with respect to any return and such return is timely filed, determined after the application of subsection (d), ~~subsections (e)(5) and (e)(7) of K.S.A. 79-32,105~~ (e)(5) and (e)(7), and amendments thereto, shall not apply.

(f) The provisions of subsections (d) through (j) shall apply to the spouse of any individual entitled to the benefits of subsection (d). Except in the case of the combat zone designated for purposes of the Vietnam conflict, this subsection shall not cause subsections (d) through (j) to apply for any spouse for any taxable year beginning more than two years after the date designated under 26 U.S.C. § 112, and amendments thereto, as the date of termination of combatant activities in a combat zone.

(g) The period of service in the area referred to in subsection (d) shall include the period during which an individual entitled to benefits under subsection (d) is in a missing status, within the meaning of 26 U.S.C. § 6013(f)(3).

(h) (1) Notwithstanding the provisions of subsection (d), any action or proceeding authorized by K.S.A. 79-3229, and amendments thereto, as well as any other action or proceeding authorized by law in connection therewith, may be taken, begun or prosecuted. In any other case in which the secretary determines that collection of the amount of any assessment would be jeopardized by delay, the provisions of subsection (d) shall not operate to stay collection of such amount by levy or otherwise as authorized by law. There shall be excluded from any amount assessed or collected pursuant to this subsection the amount of interest, penalty, additional amount, and addition to the tax, if any, in respect of the period disregarded under subsection (d). In any case to which this ~~subsections~~ subsection relates, if the secretary is required to give any notice to or make any demand upon any person, such requirement shall be deemed to be satisfied if the notice or demand is prepared and signed, in any case in which the address of such person last known to the secretary is in an area for which United States post offices under instructions of the postmaster general are not, by reason of the combatant activities, accepting mail for delivery at the time the notice or demand is signed. In such case the notice or demand shall be deemed to have been given or made upon the date it is signed.

(2) The assessment or collection of any tax under the provisions of article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, or any action or proceeding by or on behalf of the state in connection therewith, may be made, taken, begun or prosecuted in accordance with law, without regard to the provisions of

subsection (d), unless prior to such assessment, collection, action or proceeding it is ascertained that the person concerned is entitled to the benefits of subsection (d).

(i) (1) Any individual who performed Desert Shield services, and the spouse of such individual, shall be entitled to the benefits of subsections (d) through (j) in the same manner as if such services were services referred to in subsection (d).

(2) For purposes of this subsection, the term "Desert Shield services" means any services in the armed forces of the United States or in support of such armed forces if:

(A) Such services are performed in the area designated by the president as the "Persian Gulf Desert Shield area"; and

(B) such services are performed during the period beginning on August 2, 1990, and ending on the date on which any portion of the area referred to in subsection (i)(2) (A) is designated by the president as a combat zone pursuant to 26 U.S.C. § 112.

(j) For purposes of subsection (d), the term "qualified hospitalization" means:

(1) Any hospitalization outside the United States; and

(2) any hospitalization inside the United States, except that not more than five years of hospitalization may be taken into account under this subsection. This subsection shall not apply for purposes of applying subsections (d) through (j) with respect to the spouse of an individual entitled to the benefits of subsection (d).

Sec. 14. K.S.A. 79-32,212 is hereby amended to read as follows: 79-32,212. (a) For taxable years 2002 through ~~2024~~ 2024, there shall be allowed as a credit against the tax liability of a taxpayer imposed under the Kansas income tax act, an amount equal to 100% of the amount attributable to the retirement of indebtedness authorized by a single city port authority established before January 1, 2002. In no event shall the total amount of the credits allowed under this section exceed \$500,000 for any one fiscal year.

(b) Upon certification by the secretary of revenue of the amount of any such credit, the director of accounts and reports shall issue to such taxpayer a warrant for such amount which shall be deemed to be a capital contribution.

(c) For tax ~~year years~~ years 2013 ~~and all tax years thereafter~~ through 2021, the income tax credit provided by this section shall only be available to taxpayers subject to the income tax on corporations imposed pursuant to ~~subsection (e) of K.S.A. 79-32,110(c)~~, and amendments thereto, and shall be applied only against such taxpayer's corporate income tax liability.

(d) For tax years 2022 through 2024, the income tax credit provided by this section shall be available to all taxpayers subject to the income tax imposed pursuant to K.S.A. 79-32,110, and amendments thereto, and shall be applied only against such taxpayer's income tax liability.

Sec. 15. K.S.A. 79-32,267 is hereby amended to read as follows: 79-32,267. (a) For taxable years commencing after December 31, 2011, and before January 1, ~~2022~~ 2024, there shall be allowed as a credit against the tax liability of a resident individual taxpayer an amount equal to the resident individual's income tax liability under the provisions of the Kansas income tax act, when the resident individual:

(1) Establishes domicile in a rural opportunity zone on or after July 1, 2011, and prior to January 1, ~~2024~~ 2023, and was domiciled outside this state for five or more years immediately prior to establishing their domicile in a rural opportunity zone in this state;

(2) had Kansas source income less than \$10,000 in any one year for five or more years immediately prior to establishing their domicile in a rural opportunity zone in this

state; and

(3) was domiciled in a rural opportunity zone during the entire taxable year for which such credit is claimed.

(b) A resident individual may claim the credit authorized by this section for not more than five consecutive years following establishment of their domicile in a rural opportunity zone.

(c) The maximum amount of any refund under this section shall be equal to the amount withheld from the resident individual's wages or payments other than wages pursuant to K.S.A. 79-3294 et seq., and amendments thereto, or paid by the resident individual as estimated taxes pursuant to K.S.A. 79-32,101 et seq., and amendments thereto.

(d) No credit shall be allowed under this section if:

(1) The resident individual's income tax return on which the credit is claimed is not timely filed, including any extension; or

(2) the resident individual is delinquent in filing any return with, or paying any tax due to, the state of Kansas or any political subdivision thereof.

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

Sec. 16. K.S.A. 74-50,222, 74-50,223, 79-3221, 79-32,212 and 79-32,267 are hereby repealed.";

Also on page 4, in line 18, by striking "January 1, 2022, and"; also in line 18, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "income"; also in line 1, after the semicolon by inserting "relating to income tax"; in line 2, by striking "relating to paid tax return preparers"; in line 3, after "number" by inserting "of paid tax return preparers"; also in line 3, by striking the semicolon and inserting "and"; in line 5, after "conduct" by inserting "; exempting compensation income attributable as a result of identity fraud; extending the dates when corporate returns are required to be filed; providing conformity with the federal return due date for returns other than corporate returns; providing a temporary withholding option for certain teleworking employees; relating to income and privilege tax credits; establishing an Eisenhower foundation contribution credit and the friends of cedar crest association contribution credit; extending the time period and expanding eligibility for the single city port authority credit; relating to rural opportunity zones; extending the time period for eligibility in the loan repayment program and the income tax credit related thereto; defining rural opportunity zone on the basis of population; amending K.S.A. 74-50,222, 74-50,223, 79-3221, 79-32,212 and 79-32,267 and repealing the existing sections";

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

ADAM SMITH

LES MASON

JIM GARTNER

*Conferees on part of House*

CARYN TYSON

LARRY ALLEY

TOM HOLLAND

*Conferees on part of Senate*

On motion of Rep. Gartner, the conference committee report on **SB 47** was adopted.

On roll call, the vote was: Yeas 107; Nays 14; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergquist, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Estes, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Vaughn, Victors, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore, Woodard, Xu.

Nays: Bergkamp, Burris, Carmichael, Esau, Fairchild, Helgerson, Howe, Jacobs, Lee-Hahn, Miller, Poetter, Turner, Waggoner, Winn.

Present but not voting: None.

Absent or not voting: Awerkamp, Bishop, Howard, Neighbor.

On motion of Rep. Hawkins, the House recessed until 2:30 p.m.

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#### AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Finch in the chair.

On motion of Rep. Hawkins, the House adjourned until 10:00 a.m., Wednesday, May 5, 2021.

# Journal of the House

## SIXTY-SECOND DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, May 5, 2021, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 122 members present.

Reps. Howard and Neighbor were excused on verified illness.

Rep. Awerkamp was excused on excused absence by the Speaker.

Excused later: Rep. Samsel.

Prayer by Chaplain Brubaker:

Loving and Merciful God,  
Thank You for the privilege of another day of life.  
Today I ask that You show mercy upon our leaders  
as they continue to face the many challenges.  
As they continue the pace of their schedules  
and juggle their obligations,  
help them to find their strength and encouragement in You.  
Help them to walk in Your light.  
May they place their trust in You and allow You to guide their decisions.  
Keep them in Your care, confident of Your watchfulness.  
We thank You for the way you are using them  
in working together on key decisions for our state.  
Continue to show mercy and grace to them.  
In Your Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Thompson.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

**HB 2454**, AN ACT concerning crimes, punishment and criminal procedure; relating to the criminal discharge of a firearm; creating additional violations for discharges near a school and certain projectiles; amending K.S.A. 2020 Supp. 21-6308 and repealing the existing section, by Committee on Federal and State Affairs.

### MESSAGES FROM THE SENATE

Announcing the Senate here with transmits the veto message from the Governor on **SB 55**, AN ACT concerning education; relating to student athletes; creating the fairness in women's sports act; restricting participation on women's teams to female students;

providing a cause of action for violations, which was received on April 22, 2021 and read on May 3, 2021.

### REGARDING VETO ON SENATE BILL 55

This legislation sends a devastating message that Kansas is not welcoming to all children and their families, including those who are transgender – who are already at a higher risk of bullying, discrimination, and suicide.

As Kansans, we should be focused on how to include all students in extracurricular activities rather than how to exclude those who may be different than us. Kansas is an inclusive state and our laws should reflect our values. This law does not do that.

This bill would also undoubtedly harm our ability to attract and retain businesses. It would send a signal to prospective companies that Kansas is more focused on unnecessary and divisive legislation, than strategic, pro-growth lawmaking.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Bill 55**.

Date: April 22, 2021

By The Governor

LAURA KELLY

A motion was made that **SB 55** be passed notwithstanding the Governor's veto. By a vote of 26 Yeas and 14 Nays, the motion failed to receive the required two-thirds constitutional majority of the elected members or appointed to the Senate and the veto was sustained.

Announcing passage of **HB 2187**, as amended.

Announcing passage of **HB 2313**, as amended by **S Sub HB 2313**.

Announcing passage of **Sub SB 286**.

### INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS

The following Senate bill was thereupon introduced and read by title:

**SB 286**.

### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Ralph, **HR 6017**, by Reps. Ralph, Carlin, Carmichael, Concannon, Curtis, Finney, Francis, Miller, Patton, Probst, Rahjes, S. Ruiz, Sawyer, Schreiber, Tarwater, Toplikar, Victors and Woodard, as follows, was introduced and adopted:

**HR 6017**—A RESOLUTION supporting the full development, funding and implementation of the Heartland Flyer Extension between Oklahoma City, Oklahoma, and Newton, Kansas.

WHEREAS, The Kansas Secretary of Transportation, Julie Lorenz, presented to the 2021 Passenger Rail Coalition her discussion with Oklahoma Secretary of Transportation, Tim Gatz, about both Kansas and Oklahoma's desire to have Amtrak's Heartland Flyer route extended north, through Oklahoma and Kansas, which, however, would require federal funding for both states to develop the passenger rail corridor; and

WHEREAS, At the Passenger Rail Coalition Forum held on February 10, 2021,

Amtrak presented a proposal for the state of Kansas to request 100% federal funding for the Heartland Flyer Extension capital costs, as well as three to five years of operational costs, through the federal reauthorization of the Surface Transportation Act; and

WHEREAS, Amtrak has approached the state of Kansas about entering into a multi-state operational partnership for extending the Heartland Flyer, with connecting service between Amtrak's Southwest Chief and Texas Eagle; and

WHEREAS, Amtrak has received a Reauthorization Act request from the Midwest Interstate Passenger Rail Commission concerning the incorporation of additional frequencies and a second train for this corridor, specifically, a daytime frequency that will operate between Fort Worth, Texas, and Kansas City, Missouri; and

WHEREAS, The Kansas Passenger Rail Service Development Plan of 2010 includes an option for additional frequencies and a second train, known as Alternative #3, to transit within the Heartland Flyer and Southwest Chief corridors; and

WHEREAS, An accompanying improvement of ridership and financial performance would be realized by an extension and second frequency of the Heartland Flyer; and

WHEREAS, The Amtrak Southwest Chief and Sunset Limited routes would realize a dramatic increase in ridership and financial performance from a two-frequency Heartland Flyer connection with hubs in Newton, Kansas, and Fort Worth, Texas; and

WHEREAS, Ridership on the Heartland Flyer Extension from Oklahoma City, Oklahoma, to Newton, Kansas, is anticipated to double when connected with the Southwest Chief in Newton, Kansas; and

WHEREAS, Fully-funded maintenance of the Southwest Chief is an integral and vital component of the Heartland Flyer Extension; and

WHEREAS, The Kansas Department of Transportation identifies passenger rail development in the State Rail Plan; and

*Be it resolved by the House of Representatives of the State of Kansas:* That we support and endorse the extension of Amtrak service between Oklahoma City, Oklahoma, and Newton, Kansas; and

*Be it further resolved:* That we urge the Kansas Congressional delegation to support the inclusion of full federal funding for the complete implementation and development of the Heartland Flyer Extension from Oklahoma City, Oklahoma, to Newton, Kansas, as well as a second frequency directly connecting Kansas City, Missouri, and Fort Worth, Texas, in the upcoming reauthorization of the Surface Transportation Act; and

*Be it further resolved:* That we urge the Kansas Congressional delegation to support the inclusion of full federal funding for the maintenance and future development of the Southwest Chief in the upcoming reauthorization of the Surface Transportation Act; and

*Be it further resolved:* That we approve a multi-state partnership among Amtrak and the several states through which the service will operate; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send enrolled copies of this resolution to the Governor of Kansas, the Governor of Oklahoma, the Oklahoma Secretary of Transportation, the Kansas Secretary of Transportation, each member of the Kansas Congressional delegation and the U.S. Secretary of Transportation.

#### **PERSONAL PRIVILEGE**

There being no objection, the following remarks of Rep. Ralph are spread upon the Journal:

HR 6017 allows this body to express its support for the transportation needs of this State by seeking the assistance of our Congressional delegation to include full federal funding for the Heartland Flyer Extension as well as the Southwest Chief as modes of passenger rail service.

Establishing and maintaining all modes of transportation is vital to all residents of Kansas, both urban and rural. To that end, passenger rail service provides a unique and affordable means of interstate and intrastate transportation to our citizens and tourism visitors. The Heartland Flyer Extension will provide a much needed connection of passenger rail service between Oklahoma City and Newton, Kansas. The connection with points south will benefit our local communities and will invigorate and enhance our existing passenger rail service on the Southwest Chief for points between Chicago and Los Angeles. Supporting full federal funding for these routes in the reauthorization of the Surface Transportation Act will be another means by which we can continue our recovery from the last year's economic difficulties.

I would ask that you please join me in support of this resolution to emphasize this point for our Congressional delegation, knowing that the delegation has been more than supportive of passenger rail in the past for this great State of Kansas. Thank you

#### REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **House Substitute for SB 158**, as reported in the Journal of the House on March 31, 2021, and the bill, as printed as Substitute Bill by House Committee, be further amended on page 1, in line 18, by striking "52" and inserting "47"; in line 29, after "(d)" by inserting "'Cannabinoid" means any of the diverse chemical compounds that can act on cannabinoid receptors in cells and alter neurotransmitter release in the brain, including phytocannabinoids that are produced naturally by marijuana and some other plants.

(e)";

Also on page 1, in line 32, after "(e)" by inserting "'Cultivate" means the same as defined in K.S.A. 65-4101, and amendments thereto.

(g)";

Also on page 1, in line 33, by striking "21" and inserting "26"; in line 34, by striking "22" and inserting "21"; in line 36, by striking "31" and inserting "26";

On page 2, in line 1, by striking "33" and inserting "28"; in line 10, after "(k)" by inserting "'Medical marijuana product" means a product that contains cannabinoids that have been extracted from plant material or the resin therefrom by physical or chemical means and is intended for administration to a registered patient.

(n) "Medical marijuana waste" means:

- (1) Unused, surplus, returned or out-of-date marijuana;
- (2) recalled marijuana;
- (3) plant debris of the plant of the genus cannabis, including dead plants and all unused plant parts and roots; and

(4) any wastewater generated during growing and processing.

(o)";

Also on page 2, in line 18, after "(m)" by inserting "'Person" means any natural person, corporation, partnership, trust or association.

(r) "Plant material" means the leaves, stems, buds and flowers of the marijuana plant and does not include seedlings, seeds, clones, stalks or roots of the plant or the

weight of any non-marijuana ingredients combined with marijuana.

(s)";

Also on page 2, in line 22, by striking "32" and inserting "27";

On page 3, in line 17, by striking all after "(21)"; by striking all in lines 18 through 27; in line 28, by striking all before the period and inserting "pain that is either chronic and severe or intractable; or

(22) any other disease or condition adopted by the secretary of health and environment upon petition recommended for approval by the medical marijuana advisory committee pursuant to section 5, and amendments thereto";

Also on page 3, in line 30, by striking "34" and inserting "26"; in line 31, by striking "35" and inserting "30"; in line 38, after "(u)" by inserting "'Tetrahydrocannabinol" means the primary psychoactive cannabinoid in marijuana formed by decarboxylation of naturally occurring tetrahydrocannabinolic acid that generally takes place by heating.

(bb) "Tetrahydrocannabinolic acid" means the dominant cannabinoid that occurs naturally in most varieties of marijuana.

(cc) "Tetrahydrocannabinol content" means the sum of the amount of tetrahydrocannabinol and 87.7% of the amount of tetrahydrocannabinolic acid present in the product or plant material.

(dd)";

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

On page 5, in line 38, after "serve" by inserting "for a period of two years"; also in line 38, by striking "until the"; in line 39, by striking all before the comma;

On page 6, in line 14, after "(g)" by inserting "(1) Any person may submit a petition to the medical marijuana advisory committee requesting that a disease or condition be added as a qualifying medical condition for the purposes of this act. The petition shall be submitted in such form and manner as prescribed by the secretary of health and environment. A petition shall not seek to add a broad category of diseases or conditions but shall be limited to one disease or condition and include a description of such disease or condition.

(2) Upon receipt of a petition, the committee shall review such petition to determine whether to recommend the approval or denial of the disease or condition described in the petition as an addition to the list of qualifying medical conditions. The committee may consolidate the review of petitions for the same or similar diseases or conditions. In making its determination, the committee shall:

(A) Consult with one or more experts who specialize in the study of the disease or condition;

(B) review any relevant medical or scientific evidence pertaining to the disease or condition;

(C) consider whether conventional medical therapies are insufficient to treat or alleviate the disease or condition;

(D) review evidence supporting the use of medical marijuana to treat or alleviate the disease or condition; and

(E) review any letters of support provided by physicians with knowledge of the disease or condition, including any letter provided by a physician treating the petitioner.

(3) Upon completion of its review, the committee shall make a recommendation to the secretary of health and environment whether to approve or deny the addition of the

disease or condition to the list of qualifying medical conditions. The secretary shall adopt rules and regulations in accordance with the recommendation of the committee.

(h)";

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

On page 9, in line 7, after "an" by inserting "electronically scannable"; also in line 7, after the period by inserting "Upon scanning such identification card or entering such identification number,"; in line 8, by striking "may request" and inserting "shall obtain";

On page 10, in line 37, by striking "2022" and inserting "2023";

On page 11, in line 10, after the semicolon by inserting "and"; in line 11, by striking all after "(6)"; by striking all in lines 12 and 13; in line 14, by striking "(7)"; in line 26, by striking "2022" and inserting "2023";

On page 12, in line 25, by striking all after "has"; in line 26, by striking all before the semicolon and inserting "existed for a minimum of six months, or as specified by rules and regulations adopted by the board, unless the patient:

(A) Has recently moved from out-of-state and:

(i) Previously had medical marijuana recommended by a physician in another state; and

(ii) the patient's previous physician contacts the new physician to share the patient's medical history and verify that the patient has a qualifying medical condition;

(B) currently has a recommendation for medical marijuana pursuant to this act and the:

(i) Patient no longer has a relationship with the recommending physician, and the patient's previous physician contacts the new physician to share the patient's medical history and verify that the patient has a qualifying medical condition; or

(ii) recommending physician is deceased; or

(C) is a veteran and has not previously received a recommendation for medical marijuana";

On page 14, in line 35, after "media" by inserting ", or displayed in print or on any sign or billboard,";

On page 16, following line 24, by inserting:

"(3) Within 21 days of receiving a complete advertising package, the secretary shall either approve such advertisement or notify the submitter of any necessary disclosures or changes. If the secretary does not take any action on the advertising package within 21 days, the advertisement shall be deemed to be approved.";

Also on page 16, in line 33, by striking the colon; by striking all in lines 34 through 37; in line 38, by striking "(3)"; in line 40, by striking all after "located"; in line 41, by striking "(4) not" and inserting "or"; in line 43, after "(i)" by inserting "The price of";

On page 17, in line 1, by striking "For sale"; in line 3, by striking "a" and inserting "any interstate highway, federal highway or"; following line 3, by inserting:

"(j) Medical marijuana shall not be advertised on a billboard or similar advertising device that is located on any interstate highway, federal highway or state highway that crosses the Kansas border within 10 miles where such highway crosses the state line.";

On page 18, in line 15, after "corporation" by inserting ", limited liability company, limited partnership or limited liability partnership"; in line 16, by striking "corporation" and inserting "entity"; in line 17, by striking "two" and inserting "four"; in line 20, by striking "corporation" and inserting "entity"; in line 27, after "corporation" by inserting

", limited liability company, limited partnership or limited liability partnership"; in line 30, by striking "corporation" and inserting "entity"; in line 31, by striking "two" and inserting "four";

On page 19, in line 17, after "corporation" by inserting ", limited liability company, limited partnership or limited liability partnership"; in line 20, by striking "(a)(6)" and inserting "(a)(1)(F)"; in line 23, after "corporation" by inserting ", limited liability company, limited partnership or limited liability partnership"; in line 24, by striking the third "the"; in line 25, by striking "corporation" and inserting "such entity"; in line 27, by striking "five" and inserting "four"; in line 32, by striking "(a)(6)" and inserting "(a)(1)(F)"; in line 35, by striking "five" and inserting "four"; in line 37, after "corporation" by inserting ", limited liability company, limited partnership or limited liability partnership"; also in line 37, by striking "the"; in line 38, by striking "corporation" and inserting "such entity"; in line 39, by striking "a corporation" and inserting "an entity"; in line 40, by striking "the corporation" and inserting "such entity"; in line 43, by striking "the corporation" and inserting "such entity";

On page 20, in line 1, by striking "the corporation" and inserting "such entity"; in line 8, by striking "corporation" and inserting "entity"; in line 15, by striking the third "the"; in line 16, by striking the first "corporation" and inserting "such entity"; also in line 16, by striking "the corporation" and inserting "such entity"; in line 18, by striking "the corporation" and inserting "such entity"; in line 19, by striking "the"; in line 20, by striking "corporation" and inserting "such entity"; in line 26, by striking "(a)(6)" and inserting "(a)(1)(F)"; in line 31, after "corporation" by inserting ", limited liability company, limited partnership or limited liability partnership"; also in line 31, by striking "50%" and inserting "75%"; in line 32, by striking "the corporation" and inserting "such entity"; in line 37, by striking "(a)(6)" and inserting "(a)(1)(F)"; by striking all in lines 39 through 43;

On page 21, by striking all in lines 1 through 32; in line 33, by striking "may" and inserting "shall"; in line 34, by striking "either on open farmland or"; also in line 34, by striking "and" and inserting "that is";

On page 22, in line 22, by striking "2022" and inserting "2023";

On page 23, in line 32, after "or" by inserting "medical"; in line 35, after "with" by inserting "rules and regulations adopted under"; also in line 35, by striking "23" and inserting "24";

On page 24, in line 6, after "or" by inserting "medical"; in line 18, by striking "50" and inserting "45"; in line 24, by striking "50" and inserting "45"; in line 41, by striking "23" and inserting "22";

On page 25, in line 20, after the comma by inserting "medical marijuana"; in line 26, after "unused" by inserting "medical"; also in line 26, after the comma by inserting "medical"; in line 27, after "and" by inserting "medical marijuana"; in line 40, by striking "24" and inserting "23";

On page 26, in line 15, by striking "24" and inserting "23"; by striking all in lines 30 through 43;

By striking all on page 27;

On page 28, by striking all in lines 1 through 18; in line 19, after "(a)" by inserting "(1) An application for the appropriate license shall be submitted to the director of alcoholic beverage control in such form and manner as prescribed by the director by"; also in line 19, after "Any" by inserting "person or"; also in line 19, after "to" by

inserting ":

- (A) Cultivate medical marijuana;
- (B) conduct laboratory testing of medical marijuana;
- (C)";

Also on page 28, in line 20, by striking all after "marijuana"; by striking all in line 21; in line 22, by striking all before the period and inserting ";

- (D) dispense medical marijuana at retail; or
- (E) be an associated employee, key employee or support employee";

Also on page 28, also in line 22, before "A" by inserting "(2)"; in line 26, by striking "48" and inserting "43"; in line 29, after "applicant" by inserting "is not applying for a laboratory license and"; also in line 29, after "not" by inserting ":

(A)";

Also on page 28, in line 30, after "a" by inserting "licensed"; in line 31, by striking all before "or"; in line 32, after the semicolon by inserting "or"; in line 33, by striking all before "share" and inserting "(B)"; in line 34, after "a" by inserting "licensed"; also in line 34, by striking all after "laboratory"; in line 35, by striking all before "or"; in line 37, by striking "47" and inserting "42"; in line 39, by striking "and" and inserting:

"(5) the applicant is applying for a cultivator license and demonstrates the ability to grow medical marijuana in a secure indoor facility and maintain adequate control against the diversion, theft and loss of all medical marijuana to be grown by the applicant;

(6) the applicant seeking licensure has submitted an attestation to the director under penalty of perjury, in a form and manner prescribed by the director, that confirms or denies the existence of any foreign financial interests associated with the entity applying for such license and discloses the identity of such ownership, if applicable; and";

Also on page 28, in line 43, after "of" by inserting "cultivator, laboratory,,"; also in line 43, by striking "and" and inserting a comma;

On page 29, in line 1, after "distributor" by inserting "and retail dispensary"; in line 8, after "(d)" by inserting "(1)"; also in line 8, after "of" by inserting ":

(A)";

Also on page 29, in line 9, by striking ", and" and inserting "to a cultivator, laboratory, processor and distributor; and

(B) two years from the date such license is issued to a retail dispensary or any associated employee, key employee or support employee.

(2) Any license";

Also on page 29, in line 15, by striking "36" and inserting "31"; in line 32, by striking "36" and inserting "31"; in line 39, by striking all after "(a)"; by striking all in lines 40 through 43;

On page 30, by striking all in lines 1 through 27; in line 28, by striking "(d)"; in line 35, by striking "48" and inserting "43";

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

On page 31, in line 4, after "(2)" by inserting "unless prohibited pursuant to subsection (f),"; in line 8, by striking "shows" and inserting "provides the dispensary with"; in line 14, by striking "43" and inserting "38"; in line 35, by striking "34" and inserting "26"; in line 37, after "regulations" by inserting "recommended by the director

of alcoholic beverage control and"; in line 39, by striking "44" and inserting "39"; following line 42, by inserting:

"(f) The board of county commissioners of any county may prohibit establishing a dispensary in such county by adoption of a resolution prohibiting the establishment of a dispensary in such county. Any retail dispensary that is lawfully operating at the time such resolution is adopted shall be permitted to continue operating in such county and shall not be denied renewal of any license based upon the adoption of such resolution.";

On page 32, in line 8, by striking "37" and inserting "32"; in line 21, by striking "36" and inserting "31"; in line 34, by striking "recommended for denial" and inserting "denied"; also in line 34, by striking "director" and inserting "secretary"; in line 36, by striking "submitted" and inserting "denied"; in line 37, after "(a)" by inserting "The fees for a cultivator license shall be:

(1) \$5,000 for the nonrefundable license application; and  
 (2) \$20 per plant, for a minimum of 1,000 flowering plants, to be assessed at the time of licensing and each subsequent renewal for the maximum number of flowering medical marijuana plants, based upon a declaration by the applicant, that are cultivated by the licensee in the facility at any given time.

(b) The fees for a laboratory license shall be:

- (1) \$2,000 for the nonrefundable laboratory license application;
- (2) \$18,000 for a laboratory license; and
- (3) \$20,000 for a renewal of a laboratory license.

(c)";

Also on page 32, also in line 37, by striking all after "be"; by striking all in line 38; in line 39, by striking all before the colon; in line 40, by striking "a" and inserting "the nonrefundable"; in line 42, by striking all after "be"; by striking all in line 43;

On page 33, in line 1, by striking all before the colon; in line 2, by striking "a" and inserting "the nonrefundable"; in line 4, by striking all after "be"; by striking all in line 5; in line 6, by striking all before the colon; in line 7, by striking "a" and inserting "the nonrefundable";

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

Also on page 33, in line 32, after "has" by inserting "cultivated, tested, processed,";

On page 34, in line 14, after "by" by inserting "licensed cultivator, laboratories,"; also in line 14, by striking the first "and" and inserting a comma; also in line 14, after "dispensaries" by inserting ", associated employees, key employees and support employees"; in line 29, after "the" by inserting "cultivation, testing, distributing,"; in line 31, by striking "2022" and inserting "2023"; also in line 31, after "the" by inserting "director of alcoholic beverage control shall propose rules and regulations to administer the Kansas medical marijuana regulation act, and the"; in line 34, by striking the second "the"; in line 35, by striking all before "act" and inserting "this"; in line 37, by striking "sections 21," and inserting "section"; also in line 37, by striking ", 31 and 34";

On page 35, in line 2, by striking "and"; in line 3, after "(6)" by inserting "establish requirements for a cultivator to grow medical marijuana in a secure indoor facility and maintain adequate control against the diversion, theft and loss of all medical marijuana to be grown by the applicant; and

(7)";

On page 37, in line 22, by striking "closed-loop";

On page 38, in line 7, by striking "(1)"; by striking all in lines 12 through 14;

On page 41, in line 34, by striking "35" and inserting "30"; in line 35, after "regulations" by inserting "recommended by the director of alcoholic beverage control and";

On page 42, by striking all in lines 5 through 43;

On page 43, by striking all in lines 1 through 4; following line 4, by inserting:

"New Sec. 49. (a) It shall be unlawful to store or otherwise leave medical marijuana where it is readily accessible to a child under 18 years of age. Such conduct shall be unlawful with no requirement of a culpable mental state.

(b) Violation of this section is a class A person misdemeanor.

(c) This section shall not apply to any person who stores or otherwise leaves medical marijuana where it is readily accessible to a child under 18 years of age if:

(1) Such child is a patient registered pursuant to section 8, and amendments thereto; and

(2) such medical marijuana is not readily accessible to any child under 18 years of age other than the child described in paragraph (1).

(d) As used in this section:

(1) "Medical marijuana" means the same as defined in section 2, and amendments thereto; and

(2) "readily accessible" means the medical marijuana is not stored in a locked container that restricts entry to such container solely to individuals who are over 18 years of age or who are registered patients pursuant to section 8, and amendments thereto.

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

New Sec. 50. (a) The division of alcoholic beverage control is hereby renamed the division of alcohol and cannabis control. Any reference in law to the division of alcoholic beverage control shall refer to the division of alcohol and cannabis control.

(b) Any reference in law to the director, employees or agents of alcoholic beverage control shall refer to the director, employees or agents of alcohol and cannabis control.

New Sec. 51. No law enforcement officer as defined in K.S.A. 74-5602, and amendments thereto, shall enforce any violations of 18 U.S.C. § 922(g)(3) if the substance involved in such violation is medical marijuana, as defined in section 2, and amendments thereto, and such person is a registered patient pursuant to the Kansas medical marijuana regulation act, section 1 et seq., and amendments thereto, whose possession is authorized by such act.";

On page 44, in line 31, after "not" by inserting ":

(1) Require an individual who is a registered patient pursuant to section 8, and amendments thereto, to disclose the fact that such person is a registered patient; or

(2)";

Also on page 44, in line 37, by striking "office of the attorney general" and inserting "board of healing arts;

(4) board of pharmacy";

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

Also, on page 44, following line 39, by inserting:

"Sec. 57. On and after the effective date of this act, if the secretary of state publishes notice of the certification required pursuant to section 83, and amendments thereto, Section 2 of this act is hereby amended to read as follows: Section 2. As used in the Kansas medical marijuana regulation act, section 1 et seq., and amendments thereto:

(a) "Academic medical center" means a medical school and its affiliated teaching hospitals and clinics.

(b) "Associated employee" means an owner or prospective owner, officer or board member or prospective board member of an entity seeking a retail dispensary license.

(c) "Board of healing arts" means the state board of healing arts.

(d) "Cannabinoid" means any of the diverse chemical compounds that can act on cannabinoid receptors in cells and alter neurotransmitter release in the brain, including phytocannabinoids that are produced naturally by marijuana and some other plants.

(e) "Caregiver" means an individual registered pursuant to section 8, and amendments thereto, who may purchase and possess medical marijuana in accordance with section 11, and amendments thereto.

(f) "Cultivate" means the same as defined in K.S.A. 65-4101, and amendments thereto.

(g) "Cultivator" means a person issued a license pursuant to section 26, and amendments thereto, who may grow and sell medical marijuana in accordance with section 21, and amendments thereto.

(h) "Distributor" means a person issued a license pursuant to section 26, and amendments thereto, who may purchase and sell medical marijuana in accordance with section 28, and amendments thereto.

(i) "Electronic cigarette" means the same as defined in K.S.A. 79-3301, and amendments thereto.

(j) "Key employee" means a manager or other person responsible for the daily operation of a licensed retail dispensary.

(k) "Marijuana" means the same as defined in K.S.A. 65-4101, and amendments thereto.

(l) "Medical marijuana" means marijuana that is cultivated, processed, tested, dispensed, possessed or used for a medical purpose.

(m) "Medical marijuana product" means a product that contains cannabinoids that have been extracted from plant material or the resin therefrom by physical or chemical means and is intended for administration to a registered patient.

(n) "Medical marijuana waste" means:

(1) Unused, surplus, returned or out-of-date marijuana;

(2) recalled marijuana;

(3) plant debris of the plant of the genus cannabis, including dead plants and all unused plant parts and roots; and

(4) any wastewater generated during growing and processing.

(o) "Owned and controlled" means ownership of at least 51% of the business, including corporate stock if a corporation, control over the management and day-to-day operations of the business and an interest in the capital, assets and profits and losses of the business proportionate to such owner's percentage of ownership.

(p) "Patient" means an individual registered pursuant to section 8, and amendments thereto, who may purchase and possess medical marijuana in accordance with section 10, and amendments thereto.

(q) "Person" means any natural person, corporation, partnership, trust or association.

(r) "Plant material" means the leaves, stems, buds and flowers of the marijuana plant and does not include seedlings, seeds, clones, stalks or roots of the plant or the weight of any non-marijuana ingredients combined with marijuana.

(s) "Postsecondary educational institution" means the same as defined in K.S.A. 74-3201b, and amendments thereto.

(t) "Processor" means a person issued a license pursuant to section 31, and amendments thereto, who may purchase, process and sell medical marijuana in accordance with section 27, and amendments thereto.

(u) "Physician" means an individual licensed to practice medicine and surgery in this state and who is certified by the board of healing arts to ~~recommend~~ prescribe treatment with medical marijuana pursuant to section 17, and amendments thereto.

(v) "Physician's designee" means:

(1) A registered nurse, licensed practical nurse, respiratory therapist, emergency medical responder, paramedic, dental hygienist, pharmacy technician or pharmacy intern who has registered for access to the program database as an agent of a practitioner or pharmacist to request program data on behalf of the practitioner or pharmacist;

(2) a death investigator who has registered for limited access to the program database as an agent of a medical examiner, coroner or another person authorized under law to investigate or determine causes of death; or

(3) an individual authorized by rules and regulations adopted by the board of healing arts to access the prescription monitoring program database by the board of healing arts in rules and regulations.

(w) "Qualifying medical condition" means any of the following:

- (1) Acquired immune deficiency syndrome;
- (2) Alzheimer's disease;
- (3) amyotrophic lateral sclerosis;
- (4) cancer;
- (5) chronic traumatic encephalopathy;
- (6) Crohn's disease;
- (7) epilepsy or another seizure disorder;
- (8) fibromyalgia;
- (9) glaucoma;
- (10) hepatitis C;
- (11) inflammatory bowel disease;
- (12) multiple sclerosis;
- (13) Parkinson's disease;
- (14) positive status for human immunodeficiency virus;
- (15) post-traumatic stress disorder;
- (16) sickle cell anemia;
- (17) spinal cord disease or injury;
- (18) Tourette's syndrome;

(19) traumatic brain injury;  
(20) ulcerative colitis;  
(21) pain that is either chronic and severe or intractable; and  
(22) any other disease or condition adopted by the secretary of health and environment upon petition recommended for approval by the medical marijuana advisory committee pursuant to section 5, and amendments thereto.

(x) "Retail dispensary" means a person issued a license pursuant to section 26, and amendments thereto, who may purchase and sell medical marijuana in accordance with section 30, and amendments thereto.

(y) "Smoking" means the use of a lighted cigarette, cigar or pipe or otherwise burning marijuana in any other form for the purpose of consuming such marijuana.

(z) "Support employee" means an individual employed by a licensed retail dispensary who does not have authority to make operational decisions.

(aa) "Tetrahydrocannabinol" means the primary psychoactive cannabinoid in marijuana formed by decarboxylation of naturally occurring tetrahydrocannabinolic acid that generally takes place by heating.

(bb) "Tetrahydrocannabinolic acid" means the dominant cannabinoid that occurs naturally in most varieties of marijuana.

(cc) "Tetrahydrocannabinol content" means the sum of the amount of tetrahydrocannabinol and 87.7% of the amount of tetrahydrocannabinolic acid present in the product or plant material.

(dd) "Vaporization" means the use of an electronic cigarette for the purpose of consuming medical marijuana in which such medical marijuana comes into direct contact with a heating element.

(ee) "Veteran" means a person who:

(1) Has served in the army, navy, marine corps, air force, coast guard, space force, any state air or army national guard or any branch of the military reserves of the United States; and

(2) has been separated from the branch of service in which the person was honorably discharged or received a general discharge under honorable conditions.

Sec. 58. On and after the effective date of this act, if the secretary of state publishes notice of the certification required pursuant to section 83, and amendments thereto, Section 3 of this act is hereby amended to read as follows: Section 3. (a) No person shall grow, harvest, process, sell, barter, transport, deliver, furnish or otherwise possess any form of marijuana, except as specifically provided in the Kansas medical marijuana regulation act or the commercial industrial hemp act, K.S.A. 2020 Supp. 2-3901 et seq., and amendments thereto.

(b) Nothing in the Kansas medical marijuana regulation act shall be construed to:

(1) Require a physician to ~~recommend~~ prescribe that a patient use medical marijuana to treat a qualifying medical condition;

(2) permit the use, possession or administration of medical marijuana other than as authorized by this act;

(3) permit the use, possession or administration of medical marijuana on federal land located in this state;

(4) require any public place to accommodate a registered patient's use of medical marijuana;

(5) prohibit any public place from accommodating a registered patient's use of

medical marijuana;

(6) authorize any limitation on the number of any licenses awarded under this act to otherwise qualified applicants or authorize any state agency through rules and regulations to effectively limit the number of licenses available to otherwise qualified applicants for any type of license awarded under this act; or

(7) restrict research related to marijuana conducted at a postsecondary educational institution, academic medical center or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.

Sec. 59. On and after the effective date of this act, if the secretary of state publishes notice of the certification required pursuant to section 83, and amendments thereto, Section 4 of this act is hereby amended to read as follows: Section 4. (a) There is hereby established a Kansas medical marijuana regulation program.

(b) The secretary of health and environment shall administer the program in accordance with the provisions of this act and provide for the registration of patients and caregivers, including the issuance of identification cards to registered patients and caregivers.

(c) The board of healing arts shall administer the program in accordance with the provisions of this act and provide for the certification authorizing physicians to ~~recommend~~ prescribe medical marijuana.

(d) The board of pharmacy shall administer the program in accordance with the provisions of this act and provide for the registration of pharmacist consultants and the reporting to the prescription monitoring program database.

(e) The director of alcoholic beverage control shall administer the program in accordance with the provisions of this act and provide for the licensure of cultivators, laboratories that test medical marijuana, processors, distributors and retail dispensaries.

Sec. 60. On and after the effective date of this act, if the secretary of state publishes notice of the certification required pursuant to section 83, and amendments thereto, Section 17 of this act is hereby amended to read as follows: Section 17. (a) Except as provided in subsection (j), a physician seeking to ~~recommend~~ prescribe treatment with medical marijuana shall apply to the board of healing arts for a certificate authorizing such physician to ~~recommend~~ prescribe treatment with medical marijuana. The application shall be submitted in such form and manner as prescribed by the board. The board shall grant a certificate to ~~recommend~~ prescribe if the following conditions are satisfied:

(1) The application is complete and meets the requirements established in rules and regulations adopted by the board of healing arts; and

(2) the applicant demonstrates that the applicant does not have an ownership or investment interest in or compensation arrangement with an entity licensed by the department of health and environment or the director of alcoholic beverage control under this act or an applicant for such licensure.

(b) Pursuant to rules and regulations adopted by the board of healing arts, a certificate to ~~recommend~~ prescribe shall:

(A) Expire annually unless renewed in the manner prescribed by the board; and

(B) be accompanied by an annual fee in an amount not to exceed \$175.

(2) Renewal of a certificate to ~~recommend~~ prescribe shall be conditioned upon the holder's certification of having met the requirements in subsection (a) and having

completed at least two hours of continuing medical education in medical marijuana annually in accordance with subsection (g).

(c) A physician licensed in this state who holds a certificate to ~~recommend~~ prescribe treatment with medical marijuana may ~~recommend~~ prescribe that a patient be treated with medical marijuana if:

(1) The patient has been diagnosed with a qualifying medical condition;  
 (2) an ongoing physician-patient relationship has existed for a minimum of six months, or as specified by rules and regulations adopted by the board, unless the patient:

(A) Has recently moved from out-of-state, and:  
 (i) Previously had medical marijuana ~~recommended~~ prescribed by a physician in another state; and

(ii) the patient's previous physician contacts the new physician to share the patient's medical history and verify that the patient has a qualifying medical condition;

(B) currently has a ~~recommendation~~ prescription for medical marijuana pursuant to this act and the:

(i) Patient no longer has a relationship with the ~~recommending~~ prescribing physician and the patient's previous physician contacts the new physician to share the patient's medical history and verify that the patient has a qualifying medical condition;  
 or

(ii) ~~recommending~~ prescribing physician is deceased; or  
 (C) is a veteran and has not previously received a ~~recommendation~~ prescription for medical marijuana;

(3) a review of all old medical records, particularly relating to the medical indication for the tetrahydrocannabinol ~~recommendation~~ prescription, and a physical exam have been performed;

(4) the ~~recommending~~ prescribing physician has a certification to ~~recommend~~ prescribe pursuant to section 18, and amendments thereto;

(5) the ~~recommending~~ prescribing physician, or physician's designee, reports all medical marijuana ~~recommendations~~ prescriptions for all patients to the prescription monitoring program in accordance with K.S.A. 65-1683, and amendments thereto; and

(6) for a patient who has previously had medical marijuana ~~recommended~~ prescribed for use by another physician, the patient:

(A) Has maintained a physician-patient relationship with the new ~~recommending~~ prescribing physician for at least six months with either inpatient visits or via telephonic or electronic means; or

(B) no longer has the previous physician-patient relationship on account of death or discontinuance of care by the physician.

(d) In the case of a patient who is a minor, the physician may ~~recommend~~ prescribe treatment with medical marijuana only after obtaining the consent of the patient's parent or other person responsible for providing consent to treatment.

(e) When issuing a written ~~recommendation~~ prescription to a patient, the physician shall specify any information required by rules and regulations adopted by the board of healing arts. A written ~~recommendation~~ prescription issued to a patient under this section is valid for a period of not more than 90 days. The physician may ~~renew the recommendation for issue~~ not more than three additional ~~periods of written prescriptions for~~ not more than 90 days each. Thereafter, the physician may issue

another ~~recommendation~~ prescription to the patient only upon a physical examination of the patient.

(f) Each year a physician holding a certificate to ~~recommend~~ prescribe treatment with medical marijuana shall submit to the board of healing arts a report that describes the physician's observations regarding the effectiveness of medical marijuana in treating the physician's patients during the year covered by the report. When submitting reports, a physician shall not include any information that identifies or would tend to identify any specific patient.

(g) Annually, each physician who holds a certificate to ~~recommend~~ prescribe treatment with medical marijuana shall complete at least two hours of continuing medical education in the treatment with and use of medical marijuana as approved by the board of healing arts.

(h) A physician shall not issue a ~~recommendation~~ prescription for treatment with medical marijuana for a family member or the physician's self, or personally furnish or otherwise dispense medical marijuana.

(i) A physician who holds a certificate to ~~recommend~~ prescribe treatment with medical marijuana shall be immune from civil liability, shall not be subject to professional disciplinary action by the board of healing arts and shall not be subject to criminal prosecution for any of the following actions:

(1) Advising a patient, patient representative or caregiver about the benefits and risks of medical marijuana to treat a qualifying medical condition;

(2) ~~recommending~~ prescribing that a patient use medical marijuana to treat or alleviate a qualifying medical condition; and

(3) monitoring a patient's treatment with medical marijuana.

(j) This section shall not apply to a physician who ~~recommends~~ prescribes treatment with marijuana or a drug derived from marijuana under any of the following that is approved by an institutional review board or equivalent entity, the United States food and drug administration or the national institutes of health or one of its cooperative groups or centers under the United States department of health and human services:

(1) A research protocol;

(2) a clinical trial;

(3) an investigational new drug application; or

(4) an expanded access submission.

Sec. 61. On and after the effective date of this act, if the secretary of state publishes notice of the certification required pursuant to section 83, and amendments thereto, Section 18 of this act is hereby amended to read as follows: Section 18. (a) On or before July 1, 2022, the board of healing arts shall adopt rules and regulations to implement and enforce the provisions of section 17, and amendments thereto. Such rules and regulations shall include:

(1) The procedures and fees for applying for a certificate to ~~recommmend~~ prescribe treatment with medical marijuana;

(2) the conditions for eligibility for a certificate to ~~recommend~~ prescribe treatment with medical marijuana;

(3) the schedule, fees and procedures for renewing such a certificate;

(4) the reasons for which a certificate may be suspended or revoked;

(5) the standards under which a certificate suspension may be lifted; and

(6) the minimum standards of care when ~~recommending~~ prescribing treatment with

medical marijuana.

(b) The board of healing arts shall approve one or more continuing medical education courses of study that assist physicians holding certificates to ~~recommend~~ prescribe treatment with medical marijuana in diagnosing and treating qualifying medical conditions with medical marijuana.

Sec. 62. On and after the effective date of this act, if the secretary of state publishes notice of the certification required pursuant to section 83, and amendments thereto, Section 30 of this act is hereby amended to read as follows: Section 30. (a) A retail dispensary licensee may:

(1) Obtain medical marijuana from one or more licensed cultivators, processors or distributors; and

(2) unless prohibited pursuant to subsection (f), dispense or sell medical marijuana in accordance with subsection (b).

(b) When dispensing or selling medical marijuana, a retail dispensary shall:

(1) Dispense or sell medical marijuana only to a person who provides the dispensary with a current, valid identification card and only in accordance with a written ~~recommendation~~ prescription issued by a physician;

(2) report to the prescription monitoring program database the information required by K.S.A. 65-1683, and amendments thereto, and rules and regulations adopted by the board of pharmacy pursuant to section 38, and amendments thereto;

(3) ensure that the package containing medical marijuana is labeled with the following information:

(A) The name and address of the licensed processor that produced the product and the retail dispensary;

(B) the name of the patient and caregiver, if any;

(C) the name of the physician who ~~recommended~~ prescribed treatment with medical marijuana;

(D) the directions for use, if any, as ~~recommended~~ prescribed by the physician;

(E) a health warning as specified in rules and regulations adopted by the secretary of health and environment;

(F) the date on which the medical marijuana was dispensed; and

(G) the quantity, strength, kind or form of medical marijuana contained in the package;

(4) package the medical marijuana in accordance with child-resistant effectiveness standards described in 16 C.F.R. § 1700.15(b), as in effect on July 1, 2021; and

(5) dispense or sell medical marijuana in an official tamper-proof Kansas specific package that is clearly marked and approved by the director.

(c) A retail dispensary shall employ only those individuals who hold a current, valid employee license issued pursuant to section 26, and amendments thereto, and who have completed the training requirements established by rules and regulations recommended by the director of alcoholic beverage control and adopted by the secretary of revenue.

(d) A retail dispensary shall designate a pharmacist consultant who is a pharmacist licensed in this state and registered pursuant to section 39, and amendments thereto.

(e) A retail dispensary shall not make public any information it collects that identifies or would tend to identify any specific patient.

(f) Pursuant to K.S.A. 19-101a, and amendments thereto, the board of county

commissioners of any county may prohibit the establishing of dispensaries in such county by adoption of a resolution prohibiting the establishing of dispensaries in such county. Any retail dispensary that is lawfully operating at the time such resolution is adopted shall be permitted to continue operating in such county and shall not be denied renewal of any license based upon the adoption of such resolution.

Sec. 63. On and after the effective date of this act, if the secretary of state publishes notice of the certification required pursuant to section 83, and amendments thereto, Section 39 of this act is hereby amended to read as follows: Section 39. (a) Any pharmacist that seeks to operate as a pharmacist consultant for a retail dispensary shall register with the board of pharmacy in accordance with rules and regulations adopted by the board.

(b) In operating as a pharmacist consultant for a retail dispensary, such pharmacist shall:

(1) Not charge a fee for the pharmacist's services that exceeds 1% of the gross receipts of the retail dispensary;

(2) audit each ~~recommendation~~ prescription for use of medical marijuana and ensure that each such ~~recommendation~~ prescription is reported to the prescription monitoring system in accordance with K.S.A. 65-1683, and amendments thereto, and rules and regulations adopted by the board of pharmacy;

(3) develop and provide training to other retail dispensary employees at least once every 12 months that:

(A) Establishes guidelines for providing information to registered patients related to risks, benefits and side effects associated with medical marijuana;

(B) explains how to identify the signs and symptoms of substance abuse;

(C) establishes guidelines for refusing to provide medical marijuana to an individual who appears to be impaired or abusing medical marijuana; and

(D) assists in the development and implementation of review and improvement processes for patient education and support provided by the retail dispensary;

(4) provide oversight for the development and dissemination of:

(A) Education materials for qualifying patients and designated caregivers that include:

(i) Information about possible side effects and contraindications of medical marijuana;

(ii) guidelines for notifying the physician who provided the written ~~certification~~ prescription for medical marijuana if side effects or contraindications occur;

(iii) a description of the potential effects of differing strengths of medical marijuana strains and products;

(iv) information about potential drug-to-drug interactions, including interactions with alcohol, prescription drugs, nonprescription drugs and supplements;

(v) techniques for the use of medical marijuana and marijuana paraphernalia; and

(vi) information about different methods, forms and routes of medical marijuana administration;

(B) systems for documentation by a registered patient or designated caregiver of the symptoms of a registered patient that includes a logbook, rating scale for pain and symptoms and guidelines for a patient's self-assessment; and

(C) policies and procedures for refusing to provide medical marijuana to an individual who appears to be impaired or abusing medical marijuana; and

(5) be accessible by the retail dispensary or dispensary agent through:

(A) Telephonic means at all times during operating hours; and

(B) telephone or video conference for a patient consultation during operating hours.

Sec. 64. K.S.A. 2020 Supp. 19-101a is hereby amended to read as follows: 19-101a. (a) The board of county commissioners may transact all county business and perform all powers of local legislation and administration it deems appropriate, subject only to the following limitations, restrictions or prohibitions:

(1) Counties shall be subject to all acts of the legislature which apply uniformly to all counties.

(2) Counties may not affect the courts located therein.

(3) Counties shall be subject to acts of the legislature prescribing limits of indebtedness.

(4) In the exercise of powers of local legislation and administration authorized under provisions of this section, the home rule power conferred on cities to determine their local affairs and government shall not be superseded or impaired without the consent of the governing body of each city within a county which may be affected.

(5) Counties may not legislate on social welfare administered under state law enacted pursuant to or in conformity with public law No. 271 – 74<sup>th</sup> congress, or amendments thereof.

(6) Counties shall be subject to all acts of the legislature concerning elections, election commissioners and officers and their duties as such officers and the election of county officers.

(7) Counties shall be subject to the limitations and prohibitions imposed under K.S.A. 12-187 through 12-195, and amendments thereto, prescribing limitations upon the levy of retailers' sales taxes by counties.

(8) Counties may not exempt from or effect changes in statutes made nonuniform in application solely by reason of authorizing exceptions for counties having adopted a charter for county government.

(9) No county may levy ad valorem taxes under the authority of this section upon real property located within any redevelopment project area established under the authority of K.S.A. 12-1772, and amendments thereto, unless the resolution authorizing the same specifically authorized a portion of the proceeds of such levy to be used to pay the principal of and interest upon bonds issued by a city under the authority of K.S.A. 12-1774, and amendments thereto.

(10) Counties shall have no power under this section to exempt from any statute authorizing or requiring the levy of taxes and providing substitute and additional provisions on the same subject, unless the resolution authorizing the same specifically provides for a portion of the proceeds of such levy to be used to pay a portion of the principal and interest on bonds issued by cities under the authority of K.S.A. 12-1774, and amendments thereto.

(11) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-4601 through 19-4625, and amendments thereto.

(12) Except as otherwise specifically authorized by K.S.A. 12-1,101 through 12-1,109, and amendments thereto, counties may not levy and collect taxes on incomes from whatever source derived.

(13) Counties may not exempt from or effect changes in K.S.A. 19-430, and amendments thereto.

(14) Counties may not exempt from or effect changes in K.S.A. 19-302, 19-502b, 19-503, 19-805 or 19-1202, and amendments thereto.

(15) Counties may not exempt from or effect changes in K.S.A. 19-15,139, 19-15,140 and 19-15,141, and amendments thereto.

(16) Counties may not exempt from or effect changes in the provisions of K.S.A. 12-1223, 12-1225, 12-1225a, 12-1225b, 12-1225c and 12-1226, and amendments thereto, or the provisions of K.S.A. 12-1260 through 12-1270 and 12-1276, and amendments thereto.

(17) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-211, and amendments thereto.

(18) Counties may not exempt from or effect changes in the provisions of K.S.A. 19-4001 through 19-4015, and amendments thereto.

(19) Counties may not regulate the production or drilling of any oil or gas well in any manner which would result in the duplication of regulation by the state corporation commission and the Kansas department of health and environment pursuant to chapter 55 and chapter 65 of the Kansas Statutes Annotated, and amendments thereto, and any rules and regulations adopted pursuant thereto. Counties may not require any license or permit for the drilling or production of oil and gas wells. Counties may not impose any fee or charge for the drilling or production of any oil or gas well.

(20) Counties may not exempt from or effect changes in K.S.A. 79-41a04, and amendments thereto.

(21) Counties may not exempt from or effect changes in K.S.A. 79-1611, and amendments thereto.

(22) Counties may not exempt from or effect changes in K.S.A. 79-1494, and amendments thereto.

(23) Counties may not exempt from or effect changes in K.S.A. 19-202(b), and amendments thereto.

(24) Counties may not exempt from or effect changes in K.S.A. 19-204(b), and amendments thereto.

(25) Counties may not levy or impose an excise, severance or any other tax in the nature of an excise tax upon the physical severance and production of any mineral or other material from the earth or water.

(26) Counties may not exempt from or effect changes in K.S.A. 79-2017 or 79-2101, and amendments thereto.

(27) Counties may not exempt from or effect changes in K.S.A. 2-3302, 2-3305, 2-3307, 2-3318, 17-5904, 17-5908, 47-1219, 65-171d, 65-1,178 through 65-1,199, 65-3001 through 65-3028, and amendments thereto.

(28) Counties may not exempt from or effect changes in K.S.A. 80-121, and amendments thereto.

(29) Counties may not exempt from or effect changes in K.S.A. 19-228, and amendments thereto.

(30) Counties may not exempt from or effect changes in the Kansas 911 act.

(31) Counties may not exempt from or effect changes in K.S.A. 2020 Supp. 26-601, and amendments thereto.

(32) (A) Counties may not exempt from or effect changes in the Kansas liquor control act except as provided by paragraph (B).

(B) Counties may adopt resolutions which are not in conflict with the Kansas liquor

control act.

(33) (A) Counties may not exempt from or effect changes in the Kansas cereal malt beverage act except as provided by paragraph (B).

(B) Counties may adopt resolutions which are not in conflict with the Kansas cereal malt beverage act.

(34) Counties may not exempt from or effect changes in the Kansas lottery act.

(35) Counties may not exempt from or effect changes in the Kansas expanded lottery act.

(36) Counties may neither exempt from nor effect changes to the eminent domain procedure act.

(37) Any county granted authority pursuant to the provisions of K.S.A. 19-5001 through 19-5005, and amendments thereto, shall be subject to the limitations and prohibitions imposed under K.S.A. 19-5001 through 19-5005, and amendments thereto.

(38) Except as otherwise specifically authorized by K.S.A. 19-5001 through 19-5005, and amendments thereto, counties may not exercise any authority granted pursuant to K.S.A. 19-5001 through 19-5005, and amendments thereto, including the imposition or levy of any retailers' sales tax.

(39) Counties may not exempt from or effect changes in K.S.A. 65-201 and 65-202, and amendments thereto.

(40) Counties may not exempt from or effect changes in the medical marijuana regulation act except as provided in section 30, and amendments thereto.

(b) Counties shall apply the powers of local legislation granted in subsection (a) by resolution of the board of county commissioners. If no statutory authority exists for such local legislation other than that set forth in subsection (a) and the local legislation proposed under the authority of such subsection is not contrary to any act of the legislature, such local legislation shall become effective upon passage of a resolution of the board and publication in the official county newspaper. If the legislation proposed by the board under authority of subsection (a) is contrary to an act of the legislature which is applicable to the particular county but not uniformly applicable to all counties, such legislation shall become effective by passage of a charter resolution in the manner provided in K.S.A. 19-101b, and amendments thereto.

(c) Any resolution adopted by a county which conflicts with the restrictions in subsection (a) is null and void.";

On page 45, in line 37, after "cultivator" by inserting "or processor"; in line 39, by striking "21" and inserting "26"; also in line 39, by striking all after the second comma; by striking all in line 40; in line 41, by striking "thereto,";

On page 48, in line 22, after "apply" by inserting "for medical marijuana as defined in section 2, and amendments thereto,"; in line 24, by striking "21" and inserting "26"; in line 26, by striking "22" and inserting "21"; in line 29, by striking "31" and inserting "26"; in line 32, by striking "32" and inserting "27"; in line 34, by striking "31" and inserting "26"; in line 37, by striking "33" and inserting "28"; in line 39, by striking "34" and inserting "26"; in line 41, by striking "35" and inserting "30";

On page 51, following line 19, by inserting:

"Sec. 68. On and after the effective date of this act, if the secretary of state publishes notice of the certification required pursuant to section 83, and amendments thereto, K.S.A. 2020 Supp. 21-5706, as amended by section 67 of this act, is hereby amended to read as follows: 21-5706. (a) It shall be unlawful for any person to possess

any opiates, opium or narcotic drugs, or any stimulant designated in K.S.A. 65-4107(d) (1), (d)(3) or (f)(1), and amendments thereto, or a controlled substance analog thereof.

(b) It shall be unlawful for any person to possess any of the following controlled substances or controlled substance analogs thereof:

(1) Any depressant designated in K.S.A. 65-4105(e), 65-4107(e), 65-4109(b) or (c) or 65-4111(b), and amendments thereto;

(2) any stimulant designated in K.S.A. 65-4105(f), 65-4107(d)(2), (d)(4), (d)(5) or (f)(2) or 65-4109(e), and amendments thereto;

(3) any hallucinogenic drug designated in K.S.A. 65-4105(d), 65-4107(g) or 65-4109(g), and amendments thereto;

(4) any substance designated in K.S.A. 65-4105(g) and 65-4111(c), (d), (e), (f) or (g), and amendments thereto;

(5) any anabolic steroids as defined in K.S.A. 65-4109(f), and amendments thereto;

(6) any substance designated in K.S.A. 65-4113, and amendments thereto; or

(7) any substance designated in K.S.A. 65-4105(h), and amendments thereto.

(c) (1) Violation of subsection (a) is a drug severity level 5 felony.

(2) Except as provided in subsection (c)(3):

(A) Violation of subsection (b) is a class A nonperson misdemeanor, except as provided in subparagraph (B); and

(B) violation of subsection (b)(1) through (b)(5) or (b)(7) is a drug severity level 5 felony if that person has a prior conviction under such subsection, under K.S.A. 65-4162, prior to its repeal, under a substantially similar offense from another jurisdiction, or under any city ordinance or county resolution for a substantially similar offense if the substance involved was 3, 4-methylenedioxymethamphetamine (MDMA), marijuana as designated in K.S.A. 65-4105(d), and amendments thereto, or any substance designated in K.S.A. 65-4105(h), and amendments thereto, or an analog thereof.

(3) If the substance involved is marijuana, as designated in K.S.A. 65-4105(d), and amendments thereto, or tetrahydrocannabinols, as designated in K.S.A. 65-4105(h), and amendments thereto, violation of subsection (b) is a:

(A) Class B nonperson misdemeanor, except as provided in subparagraphs (B), (C) and (D);

(B) class A nonperson misdemeanor if that person has a prior conviction under such subsection, under K.S.A. 65-4162, prior to its repeal, under a substantially similar offense from another jurisdiction, or under any city ordinance or county resolution for a substantially similar offense;

(C) drug severity level 5 felony if that person has two or more prior convictions under such subsection, under K.S.A. 65-4162, prior to its repeal, under a substantially similar offense from another jurisdiction, or under any city ordinance or county resolution for a substantially similar offense; and

(D) nonperson misdemeanor punishable by a fine not to exceed \$400, if that person is not a registered patient or caregiver under the Kansas medical marijuana regulation act, section 1 et seq., and amendments thereto, is found in possession of not more than 1.5 ounces of marijuana and provides a statement from such person's physician ~~recommending~~ prescribing the use of medical marijuana to treat such person's symptoms.

(d) If the substance involved is medical marijuana, as defined in section 2, and amendments thereto, the provisions of subsections (b) and (c) shall not apply to any

person who is registered or licensed pursuant to the Kansas medical marijuana regulation act, section 1 et seq., and amendments thereto, whose possession is authorized by such act.

(e) It shall not be a defense to charges arising under this section that the defendant was acting in an agency relationship on behalf of any other party in a transaction involving a controlled substance or controlled substance analog.";

On page 76, by striking all in lines 2 through 43;

By striking all on pages 77 through 79;

On page 80, by striking all in line 1;

On page 82, in line 23, by striking "under"; by striking all in lines 24 and 25; in line 26, by striking "(2)" and inserting "or"; in line 30, after the semicolon by inserting "or";

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

On page 85, following line 13, by inserting:

"Sec. 78. On and after the effective date of this act, if the secretary of state publishes notice of the certification required pursuant to section 83, and amendments thereto, K.S.A. 2020 Supp. 65-4105 is hereby amended to read as follows: 65-4105. (a) The controlled substances listed in this section are included in schedule I and the number set forth opposite each drug or substance is the DEA controlled substances code that has been assigned to it.

(b) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

(1)	Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide).....	9821
(2)	Acetyl-alpha-methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide).....	9815
(3)	Acetylmethadol.....	9601
(4)	Acryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide; acryloylfentanyl).....	9811
(5)	AH-7921 (3,4-dichloro-N-[(1-dimethylamino)cyclohexylmethyl]benzamide).....	9551
(6)	Allylprodine.....	9602
(7)	Alphacetylmethadol.....	9603
	(except levo-alpha-cetylmethadol also known as levo-alpha-acetylmethadol, levomethadyl acetate or LAAM)	
(8)	Alphameprodine.....	9604
(9)	Alphamethadol.....	9605
(10)	Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine).....	9814
(11)	Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide).....	9832
(12)	Benzethidine.....	9606
(13)	Betacetylmethadol.....	9607
(14)	Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-	

	phenylpropanamide).....	9830
(15)	Beta-hydroxy-3-methylfentanyl (other name: N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide).....	9831
(16)	Beta-hydroxythiofentanyl (N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide).....	9836
(17)	Betameprodine.....	9608
(18)	Betamethadol.....	9609
(19)	Betaprodine.....	9611
(20)	Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide).....	9822
(21)	Clonitazene.....	9612
(22)	Cyclopentyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide)	
(23)	Cyclopropyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide).....	9845
(24)	Dextromoramide.....	9613
(25)	Diampromide.....	9615
(26)	Diethylthiambutene.....	9616
(27)	Difenoxin.....	9168
(28)	Dimenoxadol.....	9617
(29)	Dimepheptanol.....	9618
(30)	Dimethylthiambutene.....	9619
(31)	Dioxaphetyl butyrate.....	9621
(32)	Dipipanone.....	9622
(33)	Ethylmethylthiambutene.....	9623
(34)	Etonitazene.....	9624
(35)	Etixeridine.....	9625
(36)	Furanyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide).....	9834
(37)	Furethidine.....	9626
(38)	Hydroxypethidine.....	9627
(39)	Isobutyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide)	
(40)	Ketobemidone.....	9628
(41)	Levomoramide.....	9629
(42)	Levophenacilmorphan.....	9631
(43)	Methoxyacetyl fentanyl (2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide).....	9825
(44)	3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide).....	9813
(45)	3-Methylthiofentanyl (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide).....	9833
(46)	Morpheridine.....	9632
(47)	Ocfentanil (N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide)	
(48)	O-desmethyltramadol	
	Some trade or other names: 2-((dimethylamino)methyl-1-(3-	

	hydroxyphenyl)cyclohexanol;3-(2-((dimethylamino)methyl)-1-hydroxycyclohexyl)phenol	
(49)	MPPP (1-methyl-4-phenyl-4-propionoxypiperidine).....	9661
(50)	MT-45 (1-cychohexyl-4-(1,2-diphenylethyl)piperazine)	
(51)	Noracymethadol.....	9633
(52)	Norlevorphanol.....	9634
(53)	Normethadone.....	9635
(54)	Norpipanone.....	9636
(55)	Ortho-fluorofentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide; 2-fluorofentanyl).....	9816
(56)	Para-chloroisobutyryl fentanyl (N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide)	
(57)	Para-fluorobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide)	
(58)	Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]propanamide).....	9812
(59)	Para-fluoroisobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide, 4-fluoroisobutyryl fentanyl).....	9824
(60)	Para-methoxybutyryl fentanyl (N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide)	
(61)	PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine).....	9663
(62)	Phenadoxone.....	9637
(63)	Phenamproside.....	9638
(64)	Phenomorphane.....	9647
(65)	Phenoperidine.....	9641
(66)	Piritramide.....	9642
(67)	Proheptazine.....	9643
(68)	Properidine.....	9644
(69)	Propiram.....	9649
(70)	Racemoramide.....	9645
(71)	Tetrahydrofuranlyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide).....	9843
(72)	Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide).....	9835
(73)	Tilidine.....	9750
(74)	Trimeperidine.....	9646
(75)	U-47700 (3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide).....	9547
(76)	Valeryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide)	

(c) Any of the following opium derivatives, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(1)	Acetorphine.....	9319
(2)	Acetyldihydrocodeine.....	9051
(3)	Benzylmorphine.....	9052

(4)	Codeine methylbromide.....	9070
(5)	Codeine-N-Oxide.....	9053
(6)	Cyprenorphine.....	9054
(7)	Desomorphine.....	9055
(8)	Dihydromorphine.....	9145
(9)	Drotebanol.....	9335
(10)	Etorphine (except hydrochloride salt).....	9056
(11)	Heroin.....	9200
(12)	Hydromorphinol.....	9301
(13)	Methyldesorphine.....	9302
(14)	Methyldihydromorphine.....	9304
(15)	Morphine methylbromide.....	9305
(16)	Morphine methylsulfonate.....	9306
(17)	Morphine-N-Oxide.....	9307
(18)	Myrophine.....	9308
(19)	Nicocodeine.....	9309
(20)	Nicomorphine.....	9312
(21)	Normorphine.....	9313
(22)	Pholcodine.....	9314
(23)	Thebacon.....	9315

(d) Any material, compound, mixture or preparation that contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

- (1) Alpha-ethyltryptamine 7249 Some trade or other names: etryptamine; Monase;  $\alpha$ -ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole;  $\alpha$ -ET; and AET.
- (2) 4-bromo-2,5-dimethoxy-amphetamine.....7391  
Some trade or other names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2,5-DMA.
- (3) 2,5-dimethoxyamphetamine.....7396  
Some trade or other names: 2,5-dimethoxy-alpha-methyl-phenethylamine; 2,5-DMA.
- (4) 4-methoxyamphetamine.....7411  
Some trade or other names: 4-methoxy-alpha-methylphene-thylamine; paramethoxyamphetamine; PMA.
- (5) 5-methoxy-3,4-methylenedioxy-amphetamine.....7401
- (6) 4-methyl-2,5-dimethoxy-amphetamine.....7395  
Some trade or other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM"; and "STP".
- (7) 3,4-methylenedioxy amphetamine.....7400
- (8) 3,4-methylenedioxymethamphetamine (MDMA).....7405
- (9) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4 (methylenedioxy) phenethylamine, N-ethyl MDA, MDE, and MDEA).....7404
- (10) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy-

	alpha-methyl-3,4-(methylenedioxy) phenethylamine, and N-hydroxy MDA).....	7402
(11)	3,4,5-trimethoxy amphetamine.....	7390
(12)	Bufotenine.....	7433
	Some trade or other names: 3-(Beta-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine.	
(13)	Diethyltryptamine.....	7434
	Some trade or other names: N,N-Diethyltryptamine; DET.	
(14)	Dimethyltryptamine.....	7435
	Some trade or other names: DMT.	
(15)	Ibogaine.....	7260
	Some trade or other names: 7-Ethyl-6,6 Beta,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido[1',2':1,2]azepino[5,4-b]indole; Tabernanthe iboga	
(16)	Lysergic acid diethylamide.....	7315
<del>(17)</del>	<del>Marijuana.....</del>	<del>7360</del>
<del>(18)</del> (17)	Mescaline.....	7381
<del>(19)</del> (18)	Parahexyl.....	7374
	Some trade or other names: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl.	
<del>(20)</del> (19)	Peyote.....	7415
	Meaning all parts of the plant presently classified botanically as <i>Lophophora williamsii</i> Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.	
<del>(21)</del> (20)	N-ethyl-3-piperidyl benzilate.....	7482
<del>(22)</del> (21)	N-methyl-3-piperidyl benzilate.....	7484
<del>(23)</del> (22)	Psilocybin.....	7437
<del>(24)</del> (23)	Psilocyn.....	7438
	Some trade or other names: Psilocin.	
<del>(25)</del> (24)	Ethylamine analog of phencyclidine.....	7455
	Some trade or other names: N-ethyl-1-phenyl-cyclo-hexylamine; (1-phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE.	
<del>(26)</del> (25)	Pyrrolidine analog of phencyclidine.....	7458
	Some trade or other names: 1-(1-phenylcyclohexyl)-pyrrolidine; PCPy; PHP.	
<del>(27)</del> (26)	Thiophene analog of phencyclidine.....	7470
	Some trade or other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl analog of phencyclidine; TPCP; TCP.	
<del>(28)</del> (27)	1-[1-(2-thienyl)-cyclohexyl] pyrrolidine.....	7473
	Some other names: TCPy.	
<del>(29)</del> (28)	2,5-dimethoxy-4-ethylamphetamine.....	7399
	Some trade or other names: DOET.	
<del>(30)</del> (29)	Salvia divinorum or salvinorum A; all parts of the plant presently	

classified botanically as *salvia divinorum*, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.

- (31)(30) *Datura stramonium*, commonly known as gypsum weed or jimson weed; all parts of the plant presently classified botanically as *datura stramonium*, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salts, derivative, mixture or preparation of such plant, its seeds or extracts.
- (32)(31) N-benzylpiperazine.....7493  
Some trade or other names: BZP.
- (33)(32) 1-(3-[trifluoromethylphenyl])piperazine  
Some trade or other names: TFMPP.
- (34)(33) 4-Bromo-2,5-dimethoxyphenethylamine.....7392
- (35)(34) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7), its optical isomers, salts and salts of optical isomers.....7348
- (36)(35) Alpha-methyltryptamine (other name: AMT).....7432
- (37)(36) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT), its isomers, salts and salts of isomers.....7439
- (38)(37) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E).....7509
- (39)(38) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).....7508
- (40)(39) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C).....7519
- (41)(40) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I).....7518
- (42)(41) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2).....7385
- (43)(42) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4).....7532
- (44)(43) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H).....7517
- (45)(44) 2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine (2C-N).....7521
- (46)(45) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).....7524
- (47)(46) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT).....7431  
Some trade or other names: 5-methoxy-3-[2-(dimethylamino)ethyl]indole.
- (48)(47) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine  
.....7538  
Some trade or other names: 25I-NBOMe; 2C-I-NBOMe; 25I; Cimi-5.
- (49)(48) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine  
.....7537  
Some trade or other names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimi-82.
- (50)(49) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine  
.....7536  
Some trade or other names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimi-36.
- (51)(50) 2-(2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine  
Some trade or other names: 25H-NBOMe.
- (52)(51) 2-(2,5-dimethoxy-4-methylphenyl)-N-(2-methoxybenzyl)ethanamine  
Some trade or other names: 25D-NBOMe; 2C-D-NBOMe.
- (53)(52) 2-(2,5-dimethoxy-4-nitrophenyl)-N-(2-methoxybenzyl)ethanamine

Some trade or other names: 25N-NBOMe, 2C-N-NBOMe.

(e) Any material, compound, mixture or preparation that contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- |     |   |      |
|-----|---|------|
| (1) | Etizolam  |      |
|     | Some trade or other names: (4-(2-chlorophenyl)-2-ethyl-9-methyl-6H-thieno[3,2-f][1,2,4]triazolo[4,3-a][1,4]diazepine) |      |
| (2) | Mecloqualone.....   | 2572 |
| (3) | Methaqualone.....   | 2565 |
| (4) | Gamma hydroxybutyric acid   |      |

(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers and salts of isomers:

- |     |   |      |
|-----|---|------|
| (1) | Aminorex.....   | 1585 |
|     | Some other names: Aminoxaphen 2-amino-5-phenyl-2-oxazoline or 4,5-dihydro-5-phenyl-2-oxazolamine  |      |
| (2) | Fenethylamine.....  | 1503 |
| (3) | N-ethylamphetamine.....   | 1475 |
| (4) | (+)-cis-4-methylaminorex ((+)-cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine).....   | 1590 |
| (5) | N,N-dimethylamphetamine (also known as N,N-alpha-trimethylbenzeneethanamine; N,N-alpha-trimethylphenethylamine).....  | 1480 |
| (6) | Cathinone (some other names: 2-amino-1-phenol-1-propanone, alpha-amino propiophenone, 2-amino propiophenone and norphedrone).....   | 1235 |
| (7) | Substituted cathinones  |      |
|     | Any compound, except bupropion or compounds listed under a different schedule, structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified in any of the following ways: |      |
| (A) | By substitution in the ring system to any extent with alkyl, alkylenedioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;   |      |
| (B) | by substitution at the 3-position with an acyclic alkyl substituent;  |      |
| (C) | by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups; or   |      |
| (D) | by inclusion of the 2-amino nitrogen atom in a cyclic structure.  |      |

(g) Any material, compound, mixture or preparation that contains any quantity of the following substances:

- (1) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl), its optical isomers, salts and salts of isomers
- (2) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thienylfentanyl), its optical isomers, salts and salts of isomers

(h) Any of the following cannabinoids, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

- (1) ~~Tetrahydrocannabinols.....7370~~  
~~Meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity such as the following: Delta 1 cis or trans tetrahydrocannabinol, and their optical isomers Delta 6 cis or trans tetrahydrocannabinol, and their optical isomers Delta 3,4 cis or trans tetrahydrocannabinol, and its optical isomers (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.), except tetrahydrocannabinols in any of the following:~~
  - ~~(A) — industrial hemp, as defined in K.S.A. 2020 Supp. 2-3901, and amendments thereto;~~
  - ~~(B) — solid waste, as defined in K.S.A. 65-3402, and amendments thereto, and hazardous waste, as defined in K.S.A. 65-3430, and amendments thereto, if such waste is the result of the cultivation, production or processing of industrial hemp, as defined in K.S.A. 2020 Supp. 2-3901, and amendments thereto, and such waste contains a delta-9 tetrahydrocannabinol concentration of not more than 0.3%; or~~
  - ~~(C) — hemp products, as defined in K.S.A. 2020 Supp. 2-3901, and amendments thereto, unless otherwise deemed unlawful pursuant to K.S.A. 2020 Supp. 2-3908, and amendments thereto.~~
- (2) Naphthoylindoles  
 Any compound containing a 3-(1-naphthoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl) ethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the benzyl or naphthyl ring to any extent.
- ~~(3)~~(2) Naphthylmethylindoles  
 Any compound containing a 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any extent and

- whether or not substituted in the benzyl or naphthyl ring to any extent.
- ~~(4)~~(3) Naphthoylpyrroles  
Any compound containing a 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in the pyrrole ring to any extent, whether or not substituted in the benzyl or naphthyl ring to any extent.
- ~~(5)~~(4) Naphthylmethylindenes  
Any compound containing a naphthylideneindene structure with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in the indene ring to any extent, whether or not substituted in the benzyl or naphthyl ring to any extent.
- ~~(6)~~(5) Phenylacetylindoles  
Any compound containing a 3-phenylacetylindole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any extent, whether or not substituted in the benzyl or phenyl ring to any extent.
- ~~(7)~~(6) Cyclohexylphenols  
Any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted in the cyclohexyl ring to any extent.
- ~~(8)~~(7) Benzoylindoles  
Any compound containing a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any extent and whether or not substituted in the benzyl or phenyl ring to any extent.
- ~~(9)~~(8) 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone.  
Some trade or other names: WIN 55,212-2.
- ~~(10)~~(9) 9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol  
Some trade or other names: HU-210, HU-211.
- ~~(11)~~(10) Tetramethylcyclopropanoylindoles  
Any compound containing a 3-tetramethylcyclopropanoylindole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or

tetrahydropyranylmethyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the benzyl or tetramethylcyclopropyl rings to any extent.

(+2)(11)

Indole-3-carboxylate esters

Any compound containing a 1H-indole-3-carboxylate ester structure with the ester oxygen bearing a naphthyl, quinolinyl, isoquinolinyl or adamantyl group and substitution at the 1 position of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, N-methyl-2-piperidinylmethyl or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent and whether or not substituted on the naphthyl, quinolinyl, isoquinolinyl, adamantyl or benzyl groups to any extent.

(+3)(12)

Indazole-3-carboxamides

Any compound containing a 1H-indazole-3-carboxamide structure with substitution at the nitrogen of the carboxamide by a naphthyl, quinolinyl, isoquinolinyl, adamantyl, benzyl, 1-amino-1-oxoalkan-2-yl or 1-alkoxy-1-oxoalkan-2-yl group and substitution at the 1 position of the indazole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, N-methyl-2-piperidinylmethyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indazole ring to any extent and whether or not substituted on the naphthyl, quinolinyl, isoquinolinyl, adamantyl, 1-amino-1-oxoalkan-2-yl, 1-alkoxy-1-oxoalkan-2-yl or benzyl groups to any extent.

(+4)(13)

Indole-3-carboxamides

Any compound containing a 1H-indole-3-carboxamide structure with substitution at the nitrogen of the carboxamide by a naphthyl, quinolinyl, isoquinolinyl, adamantyl, benzyl, 1-amino-1-oxoalkan-2-yl or 1-alkoxy-1-oxoalkan-2-yl group and substitution at the 1 position of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, N-methyl-2-piperidinylmethyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indole ring to any extent and whether or not further substituted on the naphthyl, quinolinyl, isoquinolinyl, adamantyl, 1-amino-1-oxoalkan-2-yl, 1-alkoxy-1-oxoalkan-2-yl or benzyl groups to any extent.

(+5)(14)

(1H-indazol-3-yl)methanones

Any compound containing a (1H-indazol-3-yl)methanone structure with the carbonyl carbon bearing a naphthyl group and substitution at the 1 position of the indazole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, benzyl, N-methyl-2-piperidinylmethyl, or 2-(4-morpholinyl)ethyl group, whether or not further substituted on the indazole ring to any extent and whether or not substituted on the naphthyl or benzyl groups to any extent.

Sec. 79. On and after the effective date of this act, if the secretary of state publishes notice of the certification required pursuant to section 83, and amendments thereto, K.S.A. 65-4107 is hereby amended to read as follows: 65-4107. (a) The controlled substances listed in this section are included in schedule II and the number set forth

opposite each drug or substance is the DEA controlled substances code which has been assigned to it.

(b) Any of the following substances, except those narcotic drugs listed in other schedules, whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis or by combination of extraction and chemical synthesis:

(1) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate, excluding apomorphine, dextrorphan, nalbuphine, nalmefene, naloxone and naltrexone and their respective salts, but including the following:

(A)	Raw opium.....	9600
(B)	Opium extracts.....	9610
(C)	Opium fluid.....	9620
(D)	Powdered opium.....	9639
(E)	Granulated opium.....	9640
(F)	Tincture of opium.....	9630
(G)	Codeine.....	9050
(H)	Ethylmorphine.....	9190
(I)	Etorphine hydrochloride.....	9059
(J)	Hydrocodone.....	9193
(K)	Hydromorphone.....	9150
(L)	Metopon.....	9260
(M)	Morphine.....	9300
(N)	Oxycodone.....	9143
(O)	Oxymorphone.....	9652
(P)	Thebaine.....	9333
(Q)	Dihydroetorphine.....	9334
(R)	Oripavine.....	9330

(2) Any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (1), but not including the isoquinoline alkaloids of opium.

(3) Opium poppy and poppy straw.

(4) Coca leaves (9040) and any salt, compound, derivative or preparation of coca leaves, but not including decocainized coca leaves or extractions which do not contain cocaine (9041) or ecgonine (9180).

(5) Cocaine, its salts, isomers and salts of isomers (9041).

(6) Ecgonine, its salts, isomers and salts of isomers (9180).

(7) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrene alkaloids of the opium poppy) (9670).

(c) Any of the following opiates, including their isomers, esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation dextrorphan and levopropoxyphene excepted:

(1)	Alfentanil.....	9737
(2)	Alphaprodine.....	9010
(3)	Anileridine.....	9020

(4)	Bezitramide.....	9800
(5)	Bulk dextropropoxyphene (nondosage forms).....	9273
(6)	Carfentanil.....	9743
(7)	Dihydrocodeine.....	9120
(8)	Diphenoxylate.....	9170
(9)	Fentanyl.....	9801
(10)	Isomethadone.....	9226
(11)	Levomethorphan.....	9210
(12)	Levorphanol.....	9220
(13)	Metazocine.....	9240
(14)	Methadone.....	9250
(15)	Methadone-intermediate,4-cyano-2-dimethyl amino-4,4-diphenyl butane.....	9254
(16)	Moramide-intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid.....	9802
(17)	Pethidine (meperidine).....	9230
(18)	Pethidine-intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine.....	9232
(19)	Pethidine-intermediate-B, ethyl-4-phenyl-piperidine-4-carboxylate.....	9233
(20)	Pethidine-intermediate-C, 1-methyl-4-phenyl-piperidine-4-carboxylic acid .....	9234
(21)	Phenazocine.....	9715
(22)	Piminodine.....	9730
(23)	Racemethorphan.....	9732
(24)	Racemorphan.....	9733
(25)	Sufentanil.....	9740
(26)	Levo-alphaacetyl methadol.....	9648
	Some other names: levo-alpha-acetyl methadol, levomethadyl acetate or LAAM.	
(27)	Remifentanil.....	9739
(28)	Tapentadol.....	9780
(29)	Thiafentanil.....	9729

(d) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:

(1)	Amphetamine, its salts, optical isomers and salts of its optical isomers.....	1100
(2)	Phenmetrazine and its salts.....	1631
(3)	Methamphetamine, including its salts, isomers and salts of isomers.....	1105
(4)	Methylphenidate.....	1724
(5)	Lisdexamfetamine, its salts, isomers, and salts of its isomers.....	1205

(e) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(1)	Amobarbital.....	2125
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(2)	Glutethimide.....	2550
(3)	Secobarbital.....	2315
(4)	Pentobarbital.....	2270
(5)	Phencyclidine.....	7471

(f) Any material, compound, mixture, or preparation which contains any quantity of the following substances:

(1)	Immediate precursor to amphetamine and methamphetamine:	
	(A) Phenylacetone.....	8501
	Some trade or other names: phenyl-2-propanone; P2P; benzyl methyl ketone; methyl benzyl ketone.	
(2)	Immediate precursors to phencyclidine (PCP):	
	(A) 1-phenylcyclohexylamine.....	7460
	(B) 1-piperidinocyclohexanecarbonitrile (PCC).....	8603
(3)	Immediate precursor to fentanyl:	
	(A) 4-anilino-N-phenethyl-4-piperidine (ANPP).....	8333

(g) Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substance, its salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(1)	Dronabinol [(-)-delta-9-trans tetrahydrocannabinol] in an oral solution in a drug product approved for marketing by the United States food and drug administration.....	7365
(2)	<u>Marijuana</u> .....	7360
(3)	<u>Nabilone</u> .....	7379
	[Another name for nabilone: (±)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo[b,d]pyran-9-one]	

(h) Any material, compound, mixture or preparation containing any of the following narcotic drugs or any salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(1)	Not more than 300 milligrams of dihydrocodeinone (hydrocodone) or any of its salts per 100 milliliters or not more than 15 milligrams per dosage unit with a fourfold or greater quantity of an isoquinoline alkaloid of opium..	9805
(2)	Not more than 300 milligrams of dihydrocodeinone (hydrocodone) or any of its salts per 100 milliliters or not more than 15 milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.....	9806

(i) Any tetrahydrocannabinols.....7370  
Meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the plant, or in the resinous extractives of Cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical

structure and pharmacological activity such as the following: Delta 1 cis or trans tetrahydrocannabinol, and their optical isomers Delta 6 cis or trans tetrahydrocannabinol, and their optical isomers Delta 3,4 cis or trans tetrahydrocannabinol, and its optical isomers (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.), except tetrahydrocannabinols in any of the following:

- (A) Industrial hemp, as defined in K.S.A. 2020 Supp. 2-3901, and amendments thereto;
- (B) solid waste, as defined in K.S.A. 65-3402, and amendments thereto, and hazardous waste, as defined in K.S.A. 65-3430, and amendments thereto, if such waste is the result of the cultivation, production or processing of industrial hemp, as defined in K.S.A. 2020 Supp. 2-3901, and amendments thereto, and such waste contains a delta-9 tetrahydrocannabinol concentration of not more than 0.3%; or
- (C) hemp products, as defined in K.S.A. 2020 Supp. 2-3901, and amendments thereto, unless otherwise deemed unlawful pursuant to K.S.A. 2020 Supp. 2-3908, and amendments thereto.";

On page 86, in line 3, by striking "44-1009, 44-1015,"; in line 4, after "Supp." by inserting "19-101a,"; following line 5, by inserting:

"New Sec. 83. (a) If marijuana is rescheduled from schedule I of the controlled substances act, 21 U.S.C. § 812, the secretary of health and environment shall certify to the secretary of state that such rescheduling has occurred. Upon receipt of such certification, the secretary of state shall cause a notice of such certification to be published in the Kansas register.

(b) On and after the effective date of this act and the publication of the notice by the secretary of state in the Kansas register as provided by subsection (a), K.S.A. 65-4107, K.S.A. 2020 Supp. 21-5706 and 65-4105 and sections 2, 3, 4, 17, 18, 30 and 39 of this act are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, by striking "crime" and inserting "crimes"; also in line 5, after "transport" by inserting "and unlawful storage"; in line 10, by striking the comma; in line 11, by striking all before "and"; in line 12, after the semicolon by inserting "allowing counties to prohibit retail dispensaries;"; also in line 12, by striking "44-1009,"; in line 13, by striking "44-1015,"; also in line 13, after the second comma by inserting "65-4107,"; also in line 13, after "Supp." by inserting "19-101a,"; in line 14, after the third comma by inserting "21-5706, as amended by section 67 of this act,"; in line 15, by striking the first "and" and inserting a comma; also in line 15, after "65-1120" by inserting "and 65-4105 and sections 2, 3, 4, 17, 18, 30 and 39 of this act,"; and the bill be passed as amended.

#### **COMMITTEE ASSIGNMENT CHANGES**

Speaker Ryckman announced the appointment of Rep. Huebert to replace Rep. Barker on Committee on Legislative Post Audit on May 5, 2021.

On motion of Rep. Hawkins, the House recessed until 2:00 p.m.

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AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

**MESSAGES FROM THE SENATE**

The Senate adopts the Conference Committee report on **HB 2026**.  
 The Senate adopts the Conference Committee report on **HB 2077**.  
 The Senate adopts the Conference Committee report on **HB 2079**.  
 The Senate adopts the Conference Committee report on **HB 2121**.  
 The Senate adopts the Conference Committee report on **HB 2158**.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Hawkins, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2026, HB 2077, HB 2079, HB 2121, HB 2158**.

**CONFERENCE COMMITTEE REPORT**

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2026** submits the following report:

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

On page 2, following line 20, by inserting:

"Sec. 2. K.S.A. 2020 Supp. 21-6201 is hereby amended to read as follows: 21-6201. (a) Riot is five or more persons acting together and without lawful authority engaging in any:

(1) Use of force or violence which produces a breach of the public peace; or  
 (2) threat to use such force or violence against any person or property if accompanied by power or apparent power of immediate execution.

(b) Incitement to riot is by words or conduct knowingly urging others to engage in riot as defined in subsection (a) under circumstances which produce a clear and present danger of injury to persons or property or a ~~breach~~ breach of the public peace.

(c) (1) Riot is a;

(A) Class A person misdemeanor, except as provided in subsection (c)(1)(B); and

(B) severity level 8, person felony if the riot occurs in a correctional facility.

(2) Incitement to riot is a;

(A) Severity level 8, person felony, except as provided in subsection (c)(2)(B); and

(B) severity level 6, person felony if the incitement to riot occurs in a correctional facility.

(d) As used in this section, "correctional facility" means a "correctional institution" as defined in K.S.A. 75-5202, and amendments thereto, or a jail.

Sec. 3. K.S.A. 2020 Supp. 21-6322 is hereby amended to read as follows: 21-6322.

(a) Unlawfully tampering with electronic monitoring equipment is, knowingly and without authorization, removing, disabling, altering, tampering with, damaging or

destroying any electronic monitoring equipment used pursuant to court ordered supervision or as a condition of post-release supervision or parole.

(b) Unlawfully tampering with electronic monitoring equipment is a:

(1) Severity level—6\_8, nonperson felony in the case of electronic monitoring equipment used pursuant to court-ordered supervision or as a condition of postrelease supervision or parole for any felony; and

(2) class A nonperson misdemeanor in the case of electronic monitoring equipment used pursuant to court-ordered supervision or as a condition of postrelease supervision or parole for any misdemeanor or used pursuant to court-ordered supervision in any civil case.

Sec. 4. K.S.A. 2020 Supp. 21-6610 is hereby amended to read as follows: 21-6610.

(a) When a defendant is placed on parole by the district court, on probation, assigned to a community correctional services program by a district court or under suspended sentence and such defendant is permitted to go from the judicial district of that court, supervision over the defendant may be transferred from that judicial district to another with the concurrence of the receiving chief court services officer, or if in a community corrections services program, by the concurrence of the director of the receiving program.

(b) The district court from which the defendant is on parole, probation, community correctional services program or suspended sentence may retain jurisdiction of the defendant.

(c) When a defendant described in subsection (a) is sentenced pursuant to K.S.A. 2020 Supp. 21-6824, and amendments thereto, the district court from which the defendant is on parole, on probation, assigned to a community correctional services program or under suspended sentence may transfer jurisdiction of the defendant with the concurrence of the receiving district court and all parties.

Sec. 5. K.S.A. 2020 Supp. 21-6824 is hereby amended to read as follows: 21-6824.

(a) There is hereby established a nonprison sanction of certified drug abuse treatment programs for certain offenders who are sentenced on or after November 1, 2003. Placement of offenders in certified drug abuse treatment programs by the court shall be limited to placement of adult offenders, convicted of a felony violation of K.S.A. 2020 Supp. 21-5705 or 21-5706, and amendments thereto, whose offense is classified in grid blocks:

(1) 5-C, 5-D, 5-E, 5-F, 5-G, 5-H or 5-I of the sentencing guidelines grid for drug crimes and such offender has no felony conviction of K.S.A. 65-4142, 65-4159, 65-4161, 65-4163 or 65-4164, prior to their repeal, K.S.A. 2010 Supp. 21-36a03, 21-36a05 or 21-36a16, prior to their transfer, or K.S.A. 2020 Supp. 21-5703, 21-5705 or 21-5716, and amendments thereto, or any substantially similar offense from another jurisdiction; or

(2) 5-A, 5-B, 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes, such offender has no felony conviction of K.S.A. 65-4142, 65-4159, 65-4161, 65-4163 or 65-4164, prior to their repeal, K.S.A. 2010 Supp. 21-36a03, 21-36a05 or 21-36a16, prior to their transfer, or K.S.A. 2020 Supp. 21-5703, 21-5705 or 21-5716, and amendments thereto, or any substantially similar offense from another jurisdiction, if the person felonies in the offender's criminal history were severity level 8, 9 or 10 or nongrid offenses of the sentencing guidelines grid for nondrug crimes, and the court finds and sets forth with particularity the reasons for finding that the safety of the

members of the public will not be jeopardized by such placement in a drug abuse treatment program.

(b) As a part of the presentence investigation pursuant to K.S.A. 2020 Supp. 21-6813, and amendments thereto, offenders who meet the requirements of subsection (a), unless otherwise specifically ordered by the court, shall be subject to:

(1) A drug abuse assessment which shall include a clinical interview with a mental health professional and a recommendation concerning drug abuse treatment for the offender; and

(2) a criminal risk-need assessment. The criminal risk-need assessment shall assign a ~~high or low~~ risk status to the offender.

(c) If the offender is assigned a ~~high~~ risk status as determined by the drug abuse assessment performed pursuant to subsection (b)(1) and a ~~moderate or high~~ risk status as determined by the criminal risk-need assessment performed pursuant to subsection (b)(2) that meets the criteria for participation in a drug abuse treatment program as determined by the Kansas sentencing commission, the sentencing court shall commit the offender to treatment in a drug abuse treatment program until the court determines the offender is suitable for discharge by the court. The term of treatment shall not exceed 18 months. The court may extend the term of probation, pursuant to K.S.A. 2020 Supp. 21-6608(c)(3), and amendments thereto. The term of treatment may not exceed the term of probation.

(d) (1) Offenders who are committed to a drug abuse treatment program pursuant to subsection (c) shall be supervised by community correctional services.

(2) Offenders who are not committed to a drug abuse treatment program pursuant to subsection (c) shall be supervised by community correctional services or court services based on the result of the criminal risk assessment.

(3) If the offender is permitted to go from the judicial district of the sentencing court, the court may, pursuant to K.S.A. 2020 Supp. 21-6610, and amendments thereto:

(A) Transfer supervision of the offender from that judicial district to another; and

(B) either transfer or retain jurisdiction of the offender.

(e) Placement of offenders under subsection (a)(2) shall be subject to the departure sentencing statutes of the revised Kansas sentencing guidelines act.

(f) (1) Offenders in drug abuse treatment programs shall be discharged from such program if the offender:

(A) Is convicted of a new felony; or

(B) has a pattern of intentional conduct that demonstrates the offender's refusal to comply with or participate in the treatment program, as established by judicial finding.

(2) Offenders who are discharged from such program shall be subject to the revocation provisions of K.S.A. 2020 Supp. 21-6604(n), and amendments thereto.

(g) As used in this section, "mental health professional" includes licensed social workers, persons licensed to practice medicine and surgery, licensed psychologists, licensed professional counselors or registered alcohol and other drug abuse counselors licensed or certified as addiction counselors who have been certified by the secretary of corrections to treat offenders pursuant to K.S.A. 75-52,144, and amendments thereto.

(h) (1) Offenders who meet the requirements of subsection (a) shall not be subject to the provisions of this section and shall be sentenced as otherwise provided by law, if such offenders:

(A) Are residents of another state and are returning to such state pursuant to the

interstate corrections compact or the interstate compact for adult offender supervision;  
or

(B) are not lawfully present in the United States and being detained for deportation;  
or

(C) do not meet the risk assessment levels provided in subsection (c).

(2) Such sentence shall not be considered a departure and shall not be subject to appeal.

(i) The court may order an offender who otherwise does not meet the requirements of subsection (c) to undergo one additional drug abuse assessment while such offender is on probation. Such offender may be ordered to undergo drug abuse treatment pursuant to subsection (a) if such offender is determined to meet the requirements of subsection (c). The cost of such assessment shall be paid by such offender.;

On page 7, in line 25, by striking "moderate"; in line 26, by striking all before "by" and inserting "an appropriate risk level as determined by the Kansas sentencing commission";

On page 11, in line 32, after "Supp." by inserting "21-6201, 21-6322, 21-6610, 21-6824 and";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the semicolon by inserting "clarifying supervision of offenders and authorizing the sentencing commission to determine risk levels for participation in the certified drug abuse treatment program; increasing criminal penalties for riot and incitement to riot in a correctional facility; modifying criminal penalties for unlawfully tampering with electronic monitoring equipment;"; in line 5, after "Supp." by inserting "21-6201, 21-6322, 21-6610, 21-6824 and";

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

KELLIE WARREN  
RICHARD WILBORN  
DAVID HALEY

*Conferees on part of Senate*

J. RUSSELL JENNINGS  
STEPHEN OWENS  
DENNIS "BOOG" HIGHBERGER

*Conferees on part of House*

On motion of Rep. Jennings, the conference committee report on **HB 2026** was adopted.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Anderson, Amberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F.

Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Awerkamp, Howard, Neighbor, Samsel.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2077** submits the following report:

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

On page 6, following line 18, by inserting:

"Sec. 3. K.S.A. 74-7301 is hereby amended to read as follows: 74-7301. As used in this act:

(a) "Allowance expense" means reasonable charges incurred for reasonably needed products, services and accommodations, including those for medical care, rehabilitation, rehabilitative occupational training and other remedial treatment and care and for the replacement of items of clothing or bedding which were seized for evidence. ~~Such term~~ "Allowance expense" includes a total charge not in excess of \$5,000 for expenses in any way related to funeral, cremation or burial; but ~~such term~~ "allowance expense" shall not include that portion of a charge for a room in a hospital, clinic, convalescent or nursing home or any other institution engaged in providing nursing care and related services, in excess of a reasonable and customary charge for semi-private accommodations, unless other accommodations are medically required. ~~Such term~~ "Allowance expense" includes a total charge not in excess of \$1,000 for expenses in any way related to crime scene cleanup.

(b) "Board" means the crime victims compensation board established under K.S.A. 74-7303, and amendments thereto.

(c) "Claimant" means any of the following persons claiming compensation under this act:

- (1) A victim;
- (2) a dependent of a deceased victim;
- (3) a third person other than a collateral source; or
- (4) an authorized person acting on behalf of any of them.

(d) "Collateral source" means the net financial benefit, after deduction of taxes, legal fees, costs, expenses of litigation, liens, offsets, credits or other deductions, from a source of benefits or advantages for economic loss otherwise reparable under this act which the victim or claimant has received, or which is readily available to the victim or claimant, from:

- (1) The offender;
- (2) the government of the United States or any agency thereof, a state or any of its political subdivisions or an instrumentality or two or more states, unless the law providing for the benefits or advantages makes them excess or secondary to benefits

under this act;

- (3) social security, medicare and medicaid;
- (4) state-required temporary nonoccupational disability insurance;
- (5) workers' compensation;
- (6) wage continuation programs of any employer;
- (7) proceeds of a contract of insurance payable to the victim for loss which the victim sustained because of the criminally injurious conduct;
- (8) a contract providing prepaid hospital and other health care services or benefits for disability; or
- (9) damages awarded in a tort action.

(e) "Criminally injurious conduct" means conduct that: (1) (A) Occurs or is attempted in this state or occurs to a person whose domicile is in Kansas who is the victim of a violent crime which occurs in another state, possession, or territory of the United States of America may make an application for compensation if:

- (i) The crimes would be compensable had it occurred in the state of Kansas; and
- (ii) the places the crimes occurred are states, possessions or territories of the United States of America not having eligible crime victim compensation programs;
- (B) poses a substantial threat or personal injury or death; and
- (C) either is punishable by fine, imprisonment or death or would be so punishable but for the fact that the person engaging in the conduct lacked capacity to commit the crime under the laws of this state; or

(2) is an act of terrorism, as defined in 18 U.S.C. § 2331, or a violent crime that posed a substantial threat or caused personal injury or death, committed outside of the United States against a person whose domicile is in Kansas, except that criminally injurious conduct does not include any conduct resulting in injury or death sustained as a member of the United States armed forces while serving on active duty.

~~Such term shall~~ "Criminally injurious conduct" does not include conduct arising out of the ownership, maintenance or use of a motor vehicle, except for violations of K.S.A. 8-2,144 or 8-1567, and amendments thereto, or violations of municipal ordinances or county resolutions prohibiting the acts prohibited by those statutes, or violations of K.S.A. 8-1602, and amendments thereto, K.S.A. 21-3404, 21-3405 ~~and or~~ 21-3414, prior to their repeal, or K.S.A. 2020 Supp. 21-5405, 21-5406 ~~and K.S.A. 2020 Supp. or~~ 21-5413(b), and amendments thereto, or when such conduct was intended to cause personal injury or death.

(f) "Dependent" means a natural person wholly or partially dependent upon the victim for care or support, and includes a child of the victim born after the victim's death.

(g) "Dependent's economic loss" means loss after decedent's death of contributions of things of economic value to the decedent's dependents, not including services they would have received from the decedent if the decedent had not suffered the fatal injury, less expenses of the dependents avoided by reason of decedent's death.

(h) "Dependent's replacement services loss" means loss reasonably incurred by dependents after decedent's death in obtaining ordinary and necessary services in lieu of those the decedent would have performed for their benefit if the decedent had not suffered the fatal injury, less expenses of the dependents avoided by reason of decedent's death and not subtracted in calculating dependent's economic loss.

(i) "Economic loss" means economic detriment consisting only of allowable

expense, work loss, replacement services loss and, if injury causes death, dependent's economic loss and dependent's replacement service loss. Noneconomic detriment is not loss, but economic detriment is loss although caused by pain and suffering or physical impairment.

(j) "Noneconomic detriment" means pain, suffering, inconvenience, physical impairment and nonpecuniary damage.

(k) "Replacement services loss" means expenses reasonably incurred in obtaining ordinary and necessary services in lieu of those the injured person would have performed, not for income, but for the benefit of self or family, if such person had not been injured.

(l) "Work loss" means loss of income from work the injured person would have performed if such person had not been injured, and expenses reasonably incurred by such person in obtaining services in lieu of those the person would have performed for income, reduced by any income from substitute work actually performed by such person or by income such person would have earned in available appropriate substitute work that the person was capable of performing but unreasonably failed to undertake.

(m) "Victim" means a person who suffers personal injury or death as a result of:

(1) Criminally injurious conduct;

(2) the good faith effort of any person to prevent criminally injurious conduct; or

(3) the good faith effort of any person to apprehend a person suspected of engaging in criminally injurious conduct; or

(4) witnessing a violent crime when the person was 16 years of age or younger at the time the crime was committed.

(n) "Crime scene cleanup" means removal of blood, stains, odors or other debris caused by the crime or the processing of the crime scene.

Sec. 4. K.S.A. 2020 Supp. 74-7305 is hereby amended to read as follows: 74-7305.

(a) An application for compensation shall be made in the manner and form prescribed by the crime victims compensation division created by K.S.A. 75-773, and amendments thereto.

(b)(1) Except as otherwise provided in this subsection, compensation may not be awarded unless an application has been filed with the division within two years of the reporting of the incident to law enforcement officials if the victim was less than 16 years of age and the injury or death is the result of any of the following crimes:

(1) ~~Indecent liberties with a child as defined in K.S.A. 21-3503, prior to its repeal, or K.S.A. 2020 Supp. 21-5506(a), and amendments thereto; (2) aggravated indecent liberties with a child as defined in K.S.A. 21-3504, prior to its repeal, or K.S.A. 2020 Supp. 21-5506(b), and amendments thereto; (3) aggravated criminal sodomy as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2020 Supp. 21-5504(b), and amendments thereto; (4)~~

(A) Enticement of a child as defined in K.S.A. 21-3509, prior to its repeal; (5) indecent solicitation of a child as defined in K.S.A. 21-3510, prior to its repeal, or K.S.A. 2020 Supp. 21-5508(a), and amendments thereto; (6) aggravated indecent solicitation of a child as defined in K.S.A. 21-3511, prior to its repeal, or K.S.A. 2020 Supp. 21-5508(b), and amendments thereto; (7) sexual exploitation of a child as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2020 Supp. 21-5510, and amendments thereto; (8) aggravated incest as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2020 Supp. 21-5604(b), and amendments thereto; (9)

(B) human trafficking as defined in K.S.A. 21-3446, prior to its repeal, or K.S.A. 2020 Supp. 21-5426(a), and amendments thereto; ~~(H)~~

(C) aggravated human trafficking as defined in K.S.A. 21-3447, prior to its repeal, or K.S.A. 2020 Supp. 21-5426(b), and amendments thereto; or ~~(I) commercial sexual exploitation of a child as defined in K.S.A. 2020 Supp. 21-6422, and amendments thereto~~

(D) a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto.

(2) Compensation for mental health counseling may be awarded ~~if a claim is filed within two years of: (1) Testimony, to a claimant who is, or will be, required to testify in a sexually violent predator commitment, pursuant to article 29a of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, of an offender who victimized the claimant or the victim on whose behalf the claim is made; or (2) notification, to a claimant who is notified that DNA testing of a sexual assault kit or other evidence has revealed a DNA profile of a suspected offender who victimized the claimant or the victim on whose behalf the claim is made, or is notified of the identification of a suspected offender who victimized the claimant or the victim on whose behalf the claim is made, whichever occurs later to a:~~

(A) Victim, as defined in K.S.A. 74-7301(m)(4), and amendments thereto, if the board finds there was good cause for the failure to file within the time specified in this subsection and the claim is filed before the victim turns 19 years of age; or

(B) victim of a sexually violent crime, as defined in K.S.A. 22-3717, and amendments thereto, if the board finds there was good cause for the failure to file within the time specified in this subsection and:

(i) The claim is filed with the division within 10 years of the date such crime was committed; or

(ii) if the victim was less than 18 years of age at the time such crime was committed, the claim is filed within 10 years of the date the victim turns 18 years of age.

(3) For all other incidents of criminally injurious conduct, compensation may not be awarded unless the claim has been filed with the division within two years after the injury or death upon which the claim is based.

(c) Compensation may not be awarded to a claimant who was the offender or an accomplice of the offender and may not be awarded to another person if the award would unjustly benefit the offender or accomplice.

~~(d)~~ (d) Compensation otherwise payable to a claimant shall be reduced or denied, to the extent, if any that the:

(1) Economic loss upon which the claimant's claim is based is recouped from other persons, including collateral sources;

(2) board deems reasonable because of the contributory misconduct of the claimant or of a victim through whom the claimant claims; or

(3) board deems reasonable, because the victim was likely engaging in, or attempting to engage in, unlawful activity at the time of the crime upon which the claim for compensation is based. This subsection shall not be construed to reduce or deny compensation to a victim of domestic abuse or sexual assault.

~~(4)~~ (e) Compensation may be awarded only if the board finds that unless the claimant is awarded compensation the claimant will suffer financial stress as the result

of economic loss otherwise reparable. A claimant suffers financial stress only if the claimant cannot maintain the claimant's customary level of health, safety and education for self and dependents without undue financial hardship. In making its determination of financial stress, the board shall consider all relevant factors, including:

- (1) The number of the claimant's dependents;
- (2) the usual living expenses of the claimant and the claimant's family;
- (3) the special needs of the claimant and the claimant's dependents;
- (4) the claimant's income and potential earning capacity; and
- (5) the claimant's resources.

~~(e)(f)~~ Compensation may not be awarded unless the criminally injurious conduct resulting in injury or death was reported to a law enforcement officer within 72 hours after its occurrence or the board finds there was good cause for the failure to report within that time.

~~(f)(g)~~ The board, upon finding that the claimant or victim has not fully cooperated with appropriate law enforcement agencies, may deny, withdraw or reduce an award of compensation.

~~(g)(h)~~ Except in K.S.A. 21-3602 or 21-3603, prior to their repeal, or K.S.A. 2020 Supp. 21-5604, and amendments thereto, or cases of sex offenses established in article 35 of chapter 21, of the Kansas Statutes Annotated, prior to their repeal, or article 55 of chapter 21 of the Kansas Statutes Annotated, and amendments thereto, K.S.A. 2020 Supp. 21-6419 through 21-6422, and amendments thereto, or human trafficking or aggravated human trafficking, as defined in K.S.A. 21-3446 or 21-3447, prior to their repeal, or K.S.A. 2020 Supp. 21-5426, and amendments thereto, compensation may not be awarded if the economic loss is less than \$100.

~~(h)(i)~~ Compensation for work loss, replacement services loss, dependent's economic loss and dependent's replacement service loss may not exceed \$400 per week or actual loss, whichever is less.

~~(i)(j)~~ Compensation payable to a victim and to all other claimants sustaining economic loss because of injury to or death of that victim may not exceed \$25,000 in the aggregate.

~~(j)(k)~~ Nothing in subsections ~~(e)(2), (e)(3), (e) and (f)(d)(2), (d)(3), (f) and (g)~~ shall be construed to reduce or deny compensation to a victim of human trafficking or aggravated human trafficking, as defined in K.S.A. 2020 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined in K.S.A. 2020 Supp. 21-6422, and amendments thereto, who was 18 years of age or younger at the time the crime was committed and is otherwise qualified for compensation.";

Also on page 6, in line 19, before "K.S.A." by inserting "K.S.A. 74-7301 and"; also in line 19, by striking "and" and inserting a comma; also in line 19, before "are" by inserting "and 74-7305";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "and" and inserting a comma; also in line 1, after "commissions" by inserting "and boards"; in line 6, after the semicolon by inserting "relating to the crime victims compensation board; applications for compensation and mental health counseling; adding certain children to the definition of victim;"; also in line 6, after "amending" by inserting "K.S.A. 74-7301 and"; in line 7, by striking the first "and" and inserting a comma; also in line 7, after "21-6902" by inserting "and 74-7305";

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

KELLIE WARREN

RICHARD WILBORN

DAVID HALEY

*Conferees on part of Senate*

J. RUSSELL JENNINGS

STEPHEN OWENS

DENNIS "BOOG" HIGHBERGER

*Conferees on part of House*

On motion of Rep. Jennings, the conference committee report on **HB 2077** was adopted.

On roll call, the vote was: Yeas 115; Nays 6; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Amyx, Anderson, Amberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burris, Garber, Jacobs, Lee-Hahn, Poetter, Rhiley.

Present but not voting: None.

Absent or not voting: Awerkamp, Howard, Neighbor, Samsel.

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2079** submits the following report:

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

On page 1, following line 11, by inserting:

"New Section 1. Sections 1 through 7, and amendments thereto, shall be known and may be cited as the Kansas fights addiction act.

New Sec. 2. As used in sections 1 through 7, and amendments thereto:

- (a) "Act" means the Kansas fights addiction act.
- (b) "Covered conduct" means any conduct covered by opioid litigation that resulted in payment of moneys into the Kansas fights addiction fund.
- (c) "Defendant" means a defendant or putative defendant in any opioid litigation.

(d) "Moneys that are received" includes damages, penalties, attorney fees, costs, disbursements, refunds, rebates or any other monetary payment made or paid by any defendant by reason of any judgment, consent decree or settlement, after payment of any costs or fees allocated by court order.

(e) "Municipality" means the same as defined in K.S.A. 75-6102, and amendments thereto.

(f) "Opioid litigation" means any civil lawsuit, demand or settlement, including any settlement in lieu of litigation, alleging unlawful conduct in the manufacturing, marketing, distribution, prescribing or other use of opioid medications and asserting or resolving claims of the state or any municipality.

(g) "Qualified applicant" means any state entity, municipality or not-for-profit private entity that provides services for the purpose of preventing, reducing, treating or otherwise abating or remediating substance abuse or addiction and that has released its legal claims arising from covered conduct against each defendant that is required by opioid litigation to pay into the fund.

(h) "State" means the state of Kansas, including any agency or official thereof.

(i) "Sunflower foundation" means the sunflower foundation: health care for Kansas, established pursuant to the settlement agreement entered into by the attorney general in the action filed by blue cross and blue shield of Kansas, inc., in the district court of Shawnee county, Kansas, case No. 97CV608.

New Sec. 3. (a) Notwithstanding any other provision of law to the contrary, the attorney general shall remit to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto, all moneys that are received by the state pursuant to opioid litigation in which the attorney general is involved that is dedicated by the terms of such litigation for the abatement or remediation of substance abuse or addiction. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount into the state treasury. The state treasurer shall credit 75% of each such deposit to the Kansas fights addiction fund and 25% of each such deposit to the municipalities fight addiction fund.

(b) There is hereby established in the state treasury the Kansas fights addiction fund, and such fund shall be administered by the attorney general. Except as provided in subsection (c), moneys in the Kansas fights addiction fund shall be expended subject to any agreement authorized under section 4(d), and amendments thereto, for grants approved by the Kansas fights addiction grant review board created by section 4, and amendments thereto, to qualified applicants for projects and activities that prevent, reduce, treat or mitigate the effects of substance abuse and addiction. Any such expenditure for a grant shall not be used to supplant any other source of funding. No moneys shall be expended from the Kansas fights addiction fund for the payment of litigation costs, expenses or attorney fees related to opioid litigation.

(c) On July 1 of each year, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the Kansas fights addiction fund to the prescription monitoring program fund established by section 8, and amendments thereto. For any fiscal year, if there are insufficient unencumbered moneys in the Kansas fights addiction fund to make such transfer, no transfer shall be

made under this subsection for such fiscal year.

(d) (1) There is hereby established in the state treasury the municipalities fight addiction fund, and such fund shall be administered by the attorney general to disburse funds to municipalities. Moneys in the municipalities fight addiction fund shall be expended subject to an agreement between the attorney general, the Kansas association of counties and the league of Kansas municipalities for projects and activities that prevent, reduce, treat or mitigate the effects of substance abuse and addiction or to reimburse the municipality for previous expenses related to substance abuse mitigation or arising from covered conduct. Moneys may also be used to reimburse municipalities for the payment of litigation costs, expenses or attorney fees related to opioid litigation, except that a municipality shall first seek payment from applicable outside settlement sources or settlement fee funds prior to seeking payment from the municipalities fight addiction fund.

(2) An agreement between the attorney general, the Kansas association of counties and the league of Kansas municipalities shall determine the method for disbursing moneys from the fund, and such moneys shall be disbursed to municipalities that have not filed opioid litigation and municipalities that have filed opioid litigation and have entered into an agreement with the attorney general prior to January 1, 2022, that releases the municipality's legal claims arising from covered conduct to the attorney general and assigns any future legal claims arising from covered conduct to the attorney general.

(e) All expenditures from the Kansas fights addiction fund and the municipalities fight addiction fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports pursuant to vouchers approved by the attorney general or the attorney general's designee.

New Sec. 4. (a) There is hereby created under the jurisdiction of the attorney general the Kansas fights addiction grant review board. At least one member of such board shall reside in each of the state's congressional districts. Each member shall serve at the pleasure of the appointing authority. Such board shall be composed of 11 members who have expertise in the prevention, reduction, treatment or mitigation of the effects of substance abuse and addiction, as follows:

- (1) One member appointed by the attorney general to be designated as chairperson of the board;
- (2) one member appointed by the governor;
- (3) one member appointed by the president of the senate;
- (4) one member appointed by the speaker of the house of representatives;
- (5) one member appointed by the minority leader of the senate;
- (6) one member appointed by the minority leader of the house of representatives;
- (7) one member appointed by the league of Kansas municipalities;
- (8) one member appointed by the Kansas association of counties;
- (9) one member appointed by the Kansas county and district attorneys association;

(10) one member appointed by the association of community mental health centers of Kansas; and

(11) one member appointed by the behavioral sciences regulatory board.

(b) The board shall receive and consider applications for grants of money from the Kansas fights addiction fund. Not fewer than six members of the board voting in the affirmative shall be necessary to approve each grant, and each member shall have one vote. The board may adopt rules and procedures for its operation, conduct hearings, receive testimony and gather information to assist in its powers, duties and functions under this act.

(c) In awarding grants, the board:

(1) Shall take care to support services throughout the state and shall ensure not less than  $\frac{1}{8}$  of the total amount of moneys granted each calendar year shall be for services in each of the state's congressional districts;

(2) shall take into account science and data-driven substance abuse prevention reduction, treatment or mitigation strategies;

(3) shall consult with the Kansas prescription drug and opioid advisory committee, the department of health and environment, the insurance department and other appropriate public and private entities to ensure coordination of drug abuse and addiction prevention and mitigation efforts throughout the state;

(4) shall approve grants only in compliance with the requirements of section 3, and amendments thereto;

(5) shall consider the sustainability of programming after grant funds are exhausted;

(6) may establish conditions for the award of grants and require assurance and subsequent review to ensure such conditions are satisfied;

(7) may give preference to qualified applicants that are not otherwise seeking or receiving funds from opioid litigation; and

(8) may give preference to grants that expand availability of certified drug abuse treatment programs authorized by K.S.A. 2020 Supp. 21-6824, and amendments thereto.

(d) (1) The attorney general shall provide administrative support for the board and shall administer, monitor and assure compliance with conditions on grants awarded.

(2) To carry out the duties and responsibilities under paragraph (1), the attorney general may enter into an agreement with the sunflower foundation to provide such administration, monitoring and assurance of compliance. Such agreement may:

(A) Provide for the attorney general to periodically transfer moneys from the Kansas fights addiction fund to the sunflower foundation. The sunflower administration shall administer any such moneys in a manner consistent with this act and with grants approved by the board. If an agreement authorized by this subsection is in effect, the attorney general may transfer moneys from the Kansas fights addiction fund to the sunflower foundation pursuant to such agreement;

(B) provide for a reasonable fee or other compensation for the sunflower foundation for services related to this act;

(C) make provision for the use of any earnings on moneys transferred to the sunflower foundation pursuant to this act and invested by the sunflower foundation; and

(D) contain other provisions as may be reasonably necessary and appropriate to carry out the provisions of this act.

(3) The attorney general may take any action necessary to ensure the greatest possible recovery from opioid litigation and to seek funds for the Kansas fights addiction fund and the municipalities fight addiction fund.

(e) Members of the board shall not receive compensation or expenses for serving on the board. Each member shall file a statement of substantial interest as provided in K.S.A. 46-248 through 46-252, and amendments thereto. No member shall participate in the consideration of any grant application for which such member has a conflict of interest.

New Sec. 5. The attorney general and each municipality shall be solely responsible for paying all costs, expenses and attorney fees arising from opioid litigation brought under their respective authorities, including any attorney fees owed to private legal counsel, and may seek payment or reimbursement of such costs, expenses and attorney fees from moneys not deposited in the Kansas fights addiction fund.

New Sec. 6. (a) Except as provided by subsection (b), on and after January 1, 2021, no municipality shall file or become a party to opioid litigation in any court without the prior approval of the attorney general. Any municipality that filed or became a party to opioid litigation on or after January 1, 2021, through the effective date of the Kansas fights addiction act shall withdraw from such opioid litigation, unless such municipality receives approval from the attorney general to maintain such opioid litigation.

(b) This section shall not apply to or affect any municipality that filed or became a party to opioid litigation in court prior to January 1, 2021.

New Sec. 7. Not later than March 1 of each year, the Kansas fights addiction grant review board shall submit to the speaker of the house of representatives, the president of the senate, the governor and the attorney general a report of the board's activities during the prior calendar year, including:

(a) An accounting of moneys deposited into and expended from the Kansas fights addiction fund;

(b) a summary of each approved grant, including the name and a detailed description of the qualified applicant, the amount granted, the justification for the grant with a detailed description of the grant's intended use and any other relevant information the board deems appropriate;

(c) an explanation of how the board's actions during the year have complied with the requirements of this act; and

(d) any other relevant information the board deems appropriate.

New Sec. 8. (a) There is hereby established in the state treasury the prescription monitoring program fund. Such fund shall be administered by the president of the state

board of pharmacy or the president's designee. All expenditures from the prescription monitoring program fund shall be for the purpose of operating the prescription monitoring program that is established in accordance with the prescription monitoring program act. All expenditures from the prescription monitoring program 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 president of the state board of pharmacy or the president's designee.

(b) This section shall be a part of and supplemental to the prescription monitoring program act.";

Also on page 1, in line 33, by striking "2" and inserting "10";

On page 15, following line 35, by inserting:

"Sec. 29. K.S.A. 75-759 is hereby amended to read as follows: 75-759. (a) (1) A notice offering help to victims of human trafficking shall be accessible on the official website of the attorney general, the official website of the department for children and families and the official website of the department of labor, ~~and may~~,

(2) The notice described in this subsection shall be posted in a prominent and accessible location in ~~workplaces~~ any place required to post notices pursuant to:

(A) The Kansas act against discrimination, K.S.A. 44-1012, and amendments thereto;

(B) the Kansas age discrimination in employment act, K.S.A. 44-1114, and amendments thereto;

(C) the Kansas child labor law, K.S.A. 38-605, and amendments thereto;

(D) the employment security law and rules and regulations adopted under the employment security law; or

(E) the workers compensation act and rules and regulations adopted under the workers compensation act.

(3) The notice described in this subsection shall be posted in a location visible to members of the public in the following public places:

(A) Sexually oriented businesses as defined by K.S.A. 12-770, and amendments thereto;

(B) massage parlors;

(C) healthcare facilities;

(D) convenience stores and truck stops; and

(E) rest areas and visitors centers under state supervision or control.

~~(b) The notice shall provide such information~~ attorney general shall adopt rules and regulations prescribing the content, size and other characteristics of such notices as the attorney general determines appropriate to help and support victims of human trafficking, including, but not limited to, information regarding the national human trafficking hotline as follows:

~~"If you or someone you know is being forced to engage in any activity and cannot leave — whether it is commercial sex, housework, farm work or any other activity call the toll free National Human Trafficking Hotline at 1-888-373-7888 to access help and services. The toll free hotline is:~~

- ~~• Available 24 hours a day, 7 days a week~~
- ~~• Operated by a nonprofit, nongovernmental organization~~
- ~~• Anonymous and confidential~~

- Accessible in 170 languages
- Able to provide help, referral to services, training, and general information."

(c) The notice described in this section shall be made available in English, Spanish, and, if requested by an employer, another language.

(d) The secretary of labor, in consultation with the attorney general, shall develop and implement an education plan to raise awareness among Kansas employers about the problem of human trafficking, about the hotline described in this section, and about other resources that may be available to employers, employees, and potential victims of human trafficking. ~~On or before February 1, 2014, the secretary shall report to the standing committees on judiciary in the senate and the house of representatives, respectively, on the progress achieved in developing and implementing the notice requirement and education plan required by this section."~~

Also on page 15, in line 38, by striking the first "and" and inserting a comma; also in line 38, after "75-458" by inserting "and 75-759"; in line 41, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "enacting the Kansas fights addiction act; prescribing powers, duties and functions of the attorney general related thereto; providing for the expenditure of moneys recovered in opioid litigation; transferring a portion of such moneys annually for the operation of the prescription monitoring program; establishing a grant program to address the effects of substance abuse and addiction; Kansas fights addiction grant review board; Kansas fights addiction fund, municipalities fight addiction fund and prescription monitoring program fund; relating to"; in line 6, after the semicolon by inserting "requiring certain businesses and public places to post notices offering help to victims of human trafficking"; in line 8, by striking the first "and" and inserting a comma; also in line 8, after "75-458" by inserting "and 75-759";

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

RICK BILLINGER

J.R. CLAEYS

TOM HAWK

*Conferees on part of Senate*

FRED PATTON

BRADLEY RALPH

JOHN CARMICHAEL

*Conferees on part of House*

On motion of Rep. Patton, the conference committee report on **HB 2079** was adopted.

On roll call, the vote was: Yeas 78; Nays 42; Present but not voting: 1; Absent or not voting: 4.

Yeas: Anderson, Arnberger, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burroughs, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Haswood, Hawkins, Helgerson, Highland, Hoffman, Hoheisel, Howe, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Orr, Owens, F. Patton, Penn,

Proctor, Proehl, Rahjes, Ralph, Resman, Ryckman, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Victors, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Burris, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Donohoe, Featherston, Finney, Garber, Gartner, Helmer, Henderson, Highberger, Houser, Hoye, Jacobs, Kuether, Lee-Hahn, Miller, Ohaebosim, Ousley, Parker, Poetter, Poskin, Probst, Rhiley, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Weigel, Winn, Wolfe Moore, Xu.

Present but not voting: Woodard.

Absent or not voting: Awerkamp, Howard, Neighbor, Samsel.

### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2121** submits the following report:

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

On page 1, following line 11, by inserting:

"Section 1. K.S.A. 2020 Supp. 8-246 is hereby amended to read as follows: 8-246.

(a) If a driver's license issued under the provisions of this act is lost or destroyed, or if a new name is acquired, the person to whom such driver's license was issued may obtain a replacement upon:

(1) Furnishing satisfactory proof of the loss, destruction or name change to the division, including an affidavit stating the circumstances of the loss, destruction or name change;

(2) payment of a fee of \$8; and

(3) furnishing proof of the person's identity as provided in subsection (b). The driver's license examiner also shall compare the applicant with the division's existing information and facial image database.

(b) For the purposes of obtaining a replacement driver's license, proof of a person's identity shall include at least two of the following documents, one of the documents shall bear the person's signature and one of the documents shall bear the person's age or one of the documents shall bear the person's signature and age:

(1) Military identification card;

(2) military dependent identification card;

(3) military discharge papers;

(4) military DD214;

(5) an original or certified copy of a state issued birth certificate;

(6) marriage license;

(7) medicare identification card;

(8) certified copy of court order specifying a change of name of the person;

(9) commercially produced school yearbook with photograph of the person, and the book is less than five years old;

(10) an official passport issued by any country;

(11) alien registration documents issued by the United States;

(12) expired or current driver's license or identification card issued by the Kansas division of vehicles or an expired or current driver's license or identification card of

another state issued by similar authority, and for any document in this ~~item (12)-~~  
paragraph the document must bear a photograph of the person;

(13) student identification card bearing the photograph of the person;

(14) employee identification card bearing the photograph of the person;

(15) a copy of any federal or state income tax return bearing the signature of the person;~~or~~

(16) an identification certificate issued by the department of corrections to an offender under the supervision of the secretary of corrections;or

(17) an identification certificate issued by a court services or community corrections agency to an offender under the probation supervision of such agency.

(c) The division may waive the furnishing of one of the documents required by subsection (b) in the case of:

(1) A person who is 65 or more years of age; or

(2) an inmate who has been released on parole, conditional release or expiration of the inmate's maximum sentence. When additional clarification is needed to adequately describe any of the above items, the division shall specify such clarification in making the requirement for such item.

(d) In lieu of providing one of the documents required by subsection (b), a person may recite to the satisfaction of the driver's license examiner the recent motor vehicle operating record of the person.

(e) Any person who loses a driver's license and who, after obtaining a replacement, finds the original license shall immediately surrender the original license to the division.";

On page 6, following line 6, by inserting:

"Sec. 5. K.S.A. 75-5216 is hereby amended to read as follows: 75-5216. (a) Parole officers shall investigate all persons referred to them for investigation by the secretary of corrections. Parole officers shall furnish to each person released under their supervision a written statement of the conditions of parole or postrelease supervision and shall give instructions regarding these conditions. Parole officers shall keep informed of the conduct and condition of a parolee or inmate on postrelease supervision and use all suitable methods to aid, encourage and bring about improvement in the conduct and condition of such parolee or inmate ~~or on~~ postrelease supervision. Parole officers shall keep detailed records of their work and shall make such reports in writing and perform such other duties as may be incidental to those above enumerated or as the secretary may require. Parole officers shall coordinate their work with that of social welfare agencies.

(b) The secretary of corrections shall develop guidance for use by parole officers that includes intervention responses to behavior that would constitute a violation of parole or postrelease supervision and incentive responses to compliant behavior and pro-social achievements. Parole officers shall use such guidance developed by the secretary while supervising offenders on parole or postrelease supervision.";

On page 9, in line 15, after "22-2809" by inserting ", 75-5216"; also in line 15, after "Supp." by inserting "8-246,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "relating to issuance of identification certificates by court services and community corrections agencies; use thereof to obtain replacement driver's license;"; in line 7, after the semicolon by

inserting "requiring the secretary of corrections to develop guidance to address violations of parole and postrelease supervision;"; also in line 7, after "22-2809" by inserting ", 75-5216"; in line 8, after "Supp." by inserting "8-246,";

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

KELLIE WARREN  
RICHARD WILBORN  
DAVID HALEY

*Conferees on part of Senate*

J. RUSSELL JENNINGS  
STEPHEN OWENS  
DENNIS "BOOG" HIGHBERGER

*Conferees on part of House*

On motion of Rep. Jennings, the conference committee report on **HB 2121** was adopted.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Averkamp, Howard, Neighbor, Samsel.

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2158** submits the following report:

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

On page 1, following line 9, by inserting:

"WHEREAS, The amendments made to the provisions of K.S.A. 2020 Supp. 38-2226 by this act shall be known as Adrian's Law.

Now, therefore:"

Also on page 1, following line 11, by inserting:

"New Section 1. (a) There is hereby established the joint committee on child

welfare system oversight. The joint committee shall review:

(1) Data on child maltreatment and demographic trends impacting the child welfare system;

(2) the duties, responsibilities and contributions of the Kansas department for children and families, the Kansas department for aging and disability services, the department of health and environment, the department of corrections, law enforcement and the judicial branch that comprise and impact the child welfare system;

(3) the programs, services and benefits offered directly or through grants or contracts by the Kansas department for children and families, the Kansas department for aging and disability services, the department of health and environment and the judicial branch that impact children and families at risk of becoming involved or who are involved in the child welfare system, including:

(A) Child maltreatment prevention;

(B) investigations of child maltreatment;

(C) in-home family services, including services offered through federal prevention and family preservation funding; and

(D) foster care, reintegration and adoption services;

(4) trends, performance outcomes, activities and improvement plans related to the federal child and family services reviews;

(5) reports from child welfare-related groups, including, but not limited to, citizen review panels, the Kansas supreme court permanency planning task force, the Kansas children's cabinet and any interim study committees or work groups authorized by the Kansas legislature;

(6) implementation of the 2019 child welfare system task force report recommendations, including top-tier recommendations related to the child welfare workforce, data technology, access to behavioral healthcare for high-risk youth and implementation of the federal family first prevention services act;

(7) reports on concerns received from the Kansas department for children and families child welfare ombudsman or customer service department or similar office;

(8) opportunities for Kansas to strengthen the child welfare system through evidence-based interventions and services for children and families;

(9) data and trends on family foster home licenses issued pursuant to K.S.A. 65-516(b), and amendments thereto;

(10) the exception to state child death review board confidentiality for city or county entities with the express purpose of providing local review of child deaths pursuant to K.S.A. 2020 Supp. 22a-243, and amendments thereto; and

(11) any other topic the joint committee deems appropriate.

(b) The joint committee shall consist of 13 members of the legislature appointed as follows:

(1) Two members of the house of representatives standing committee on children

and seniors appointed by the speaker of the house of representatives;

(2) one member of the house of representatives standing committee on children and seniors appointed by the minority leader of the house of representatives;

(3) two members of the senate standing committee on public health and welfare appointed by the president of the senate;

(4) one member of the senate standing committee on public health and welfare appointed by the minority leader of the senate;

(5) two members of the house of representatives appointed by the speaker of the house of representatives;

(6) one member of the house of representatives appointed by the minority leader of the house of representatives;

(7) two members of the senate appointed by the president of the senate;

(8) one member of the senate appointed by the minority leader of the senate; and

(9) one member of the house of representatives appointed by the majority leader of the house of representatives.

(c) Members shall be appointed for terms coinciding with the legislative terms for which such members are elected or appointed. All members appointed to fill vacancies in the membership of the joint committee and all members appointed to succeed members appointed to the membership on the joint committee shall be appointed in the manner provided for the original appointment of the member succeeded.

(d) (1) Within 30 days of the effective date of this section, the first chairperson of the joint committee shall be appointed by the president of the senate from among the members of the joint committee appointed by the president of the senate. The chairperson and vice-chairperson of the joint committee shall alternate annually between the members appointed by the president of the senate and the speaker of the house of representatives.

(2) The speaker of the house of representatives shall designate a representative member to be the chairperson or the vice-chairperson of the joint committee as provided in this section. The president of the senate shall designate a senator member to be the chairperson or the vice-chairperson of the joint committee as provided in this section. The ranking minority member shall be from the same chamber as the chairperson. The minority leader of the senate shall designate a senator member to be the ranking minority member of the joint committee as provided in this section. The minority leader of the house of representatives shall designate a representative member to be the ranking minority member of the joint committee as provided in this section.

(e) The members originally appointed as members of the joint committee shall meet upon the call of the chairperson on or after January 1, 2021. Thereafter, the joint committee shall meet at least once during each of the first and second calendar quarters when the legislature is in regular session and at least once during each of the third and fourth calendar quarters, on the call of the chairperson, but not to exceed six meetings in a calendar year.

(f) Seven members of the joint committee shall constitute a quorum.

(g) At the beginning of each regular session of the legislature, the joint committee shall submit to the president of the senate, the speaker of the house of representatives, the house standing committee on children and seniors and the senate standing committee on public health and welfare a written report that shall include recommended changes to current laws, rules and regulations and policies regarding the safety and well-being of children in the child welfare system in the state of Kansas.

(h) Members of the joint committee shall be paid compensation, amounts for travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212, and amendments thereto, for attendance at any meeting of the joint committee or any subcommittee meeting authorized by the committee.

(i) In accordance with K.S.A. 46-1204, and amendments thereto, the legislative coordinating council may provide for such professional services as may be requested by the joint committee.

(j) The joint committee may make recommendations and introduce legislation as it deems necessary in performing its functions.";

On page 3, in line 25, by striking all after "K.S.A."; in line 26, by striking "5101a" and inserting "21-2501a"; in line 36, by striking all after "K.S.A."; in line 37, by striking "5101a" and inserting "21-2501a"; in line 38, after "child" by inserting a semicolon; in line 39, after "(6)" by inserting "(A)"; in line 42, by striking "(A)" and inserting "(i)"; in line 43, by striking "(B)" and inserting "(ii)"; following line 43, by inserting:

"(B) the provisions of this paragraph shall expire on July 1, 2026, unless the legislature reviews and reenacts such provisions prior to July 1, 2026; and

(C) the joint committee on child welfare system oversight shall review the provisions of this paragraph pursuant to section 1, and amendments thereto;"

On page 4, following line 25, by inserting:

"Sec. 3. K.S.A. 2020 Supp. 38-2226 is hereby amended to read as follows: 38-2226. (a) *Investigation for child abuse or neglect.* The secretary and law enforcement officers shall have the duty to receive and investigate reports of child abuse or neglect for the purpose of determining whether the report is valid and whether action is required to protect a child. Any person or agency which maintains records relating to the involved child which are relevant to any investigation conducted by the secretary or law enforcement agency under this code shall provide the secretary or law enforcement agency with the necessary records to assist in investigations. In order to provide such records, the person or agency maintaining the records shall receive from the secretary or law enforcement: (1) A written request for information; and (2) a written notice that the investigation is being conducted by the secretary or law enforcement. If the secretary and such officers determine that no action is necessary to protect the child but that a criminal prosecution should be considered, such law enforcement officers shall make a report of the case to the appropriate law enforcement agency.

(b) *Joint investigations.* When a report of child abuse or neglect indicates: (1) That there is serious physical harm to, serious deterioration of or sexual abuse of the child; and (2) that action may be required to protect the child, the investigation shall be conducted as a joint effort between the secretary and the appropriate law enforcement agency or agencies, with a free exchange of information between them pursuant to

K.S.A. 2020 Supp. 38-2210, and amendments thereto. If a statement of a suspect is obtained by either agency, a copy of the statement shall be provided to the other.

(c) *Investigation of certain cases.* Suspected child abuse or neglect which occurs in an institution operated by the Kansas department of corrections shall be investigated by the attorney general or secretary of corrections. Any suspected child abuse or neglect in an institution operated by the Kansas department for aging and disability services, or by persons employed by the Kansas department for aging and disability services or the Kansas department for children and families, or of children of persons employed by either department, shall be investigated by the appropriate law enforcement agency.

(d) *Coordination of investigations by county or district attorney.* If a dispute develops between agencies investigating a reported case of child abuse or neglect, the appropriate county or district attorney shall take charge of, direct and coordinate the investigation.

(e) *Investigations concerning certain facilities.* Any investigation involving a facility subject to licensing or regulation by the secretary of health and environment shall be promptly reported to the state secretary of health and environment.

(f) *Cooperation between agencies.* Law enforcement agencies and the secretary shall assist each other in taking action which is necessary to protect a child regardless of which agency conducted the initial investigation.

(g) *Cooperation between school personnel and investigative agencies.* (1) Educational institutions, the secretary and law enforcement agencies shall cooperate with each other in the investigation of reports of suspected child abuse or neglect. The secretary and law enforcement agencies shall have access to a child in a setting designated by school personnel on the premises of an educational institution. Attendance at an interview conducted on such premises shall be at the discretion of the agency conducting the interview, giving consideration to the best interests of the child. To the extent that safety and practical considerations allow, law enforcement officers on such premises for the purpose of investigating a report of suspected child abuse or neglect shall not be in uniform.

(2) The secretary or a law enforcement officer may request the presence of school personnel during an interview if the secretary or officer determines that the presence of such person might provide comfort to the child or facilitate the investigation.

(h) *Visual observation required.* As part of any investigation conducted pursuant to this section, the secretary, or the secretary's designee, or the law enforcement agency, or such agency's designee, that is conducting the investigation shall visually observe the child who is the alleged victim of abuse or neglect. In the case of a joint investigation conducted pursuant to subsection (b), the secretary and the investigating law enforcement agency, or the designees of the secretary and such agency, shall both visually observe the child who is the alleged victim of abuse or neglect. All investigation reports shall include the date, time and location of any visual observation of a child that is required by this subsection.

Sec. 4. K.S.A. 2020 Supp. 39-709 is hereby amended to read as follows: 39-709. (a) *General eligibility requirements for assistance for which federal moneys are expended.* Subject to the additional requirements below, assistance in accordance with plans under which federal moneys are expended may be granted to any needy person who:

(1) Has insufficient income or resources to provide a reasonable subsistence

compatible with decency and health. Where a husband and wife or cohabiting partners are living together, the combined income or resources of both shall be considered in determining the eligibility of either or both for such assistance unless otherwise prohibited by law. The secretary, in determining need of any applicant for or recipient of assistance shall not take into account the financial responsibility of any individual for any applicant or recipient of assistance unless such applicant or recipient is such individual's spouse, cohabiting partner or such individual's minor child or minor stepchild if the stepchild is living with such individual. The secretary in determining need of an individual may provide such income and resource exemptions as may be permitted by federal law. For purposes of eligibility for temporary assistance for needy families, for food assistance and for any other assistance provided through the Kansas department for children and families under which federal moneys are expended, the secretary for children and families shall consider one motor vehicle owned by the applicant for assistance, regardless of the value of such vehicle, as exempt personal property and shall consider any equity in any boat, personal water craft, recreational vehicle, recreational off-highway vehicle or all-terrain vehicle, as defined by K.S.A. 8-126, and amendments thereto, or any additional motor vehicle owned by the applicant for assistance to be a nonexempt resource of the applicant for assistance except that any additional motor vehicle used by the applicant, the applicant's spouse or the applicant's cohabiting partner for the primary purpose of earning income may be considered as exempt personal property in the secretary's discretion.

(2) Is a citizen of the United States or is an alien lawfully admitted to the United States and who is residing in the state of Kansas.

(b) *Temporary assistance for needy families.* Assistance may be granted under this act to any dependent child, or relative, subject to the general eligibility requirements as set out in subsection (a), who resides in the state of Kansas or whose parent or other relative with whom the child is living resides in the state of Kansas. Such assistance shall be known as temporary assistance for needy families. Where the husband and wife or cohabiting partners are living together, both shall register for work under the program requirements for temporary assistance for needy families in accordance with criteria and guidelines prescribed by rules and regulations of the secretary.

(1) As used in this subsection, "family group" or "household" means the applicant or recipient for TANF, child care subsidy or employment services and all individuals living together in which there is a relationship of legal responsibility or a qualifying caretaker relationship. This will include a cohabiting boyfriend or girlfriend living with the person legally responsible for the child. The family group shall not be eligible for TANF if the family group contains at least one adult member who has received TANF, including the federal TANF assistance received in any other state, for 24 calendar months beginning on and after October 1, 1996, unless the secretary determines a hardship exists and grants an extension allowing receipt of TANF until the 36-month limit is reached. No extension beyond 36 months shall be granted. Hardship provisions for a recipient include:

- (A) Is a caretaker of a disabled family member living in the household;
- (B) has a disability which precludes employment on a long-term basis or requires substantial rehabilitation;
- (C) needs a time limit extension to overcome the effects of domestic violence/sexual assault;

(D) is involved with prevention and protection services (PPS) and has an open social service plan; or

(E) is determined by the 24<sup>th</sup> month to have an extreme hardship other than what is designated in criteria listed in subparagraphs (A) through (D). This determination will be made by the executive review team.

(2) All adults applying for TANF shall be required to complete a work program assessment as specified by the Kansas department for children and families, including those who have been disqualified for or denied TANF due to non-cooperation, drug testing requirements or fraud. Adults who are not otherwise eligible for TANF, such as ineligible aliens, relative/non-relative caretakers and adults receiving supplemental security income are not required to complete the assessment process. During the application processing period, applicants must complete at least one module or its equivalent of the work program assessment to be considered eligible for TANF benefits, unless good cause is found to be exempt from the requirements. Good cause exemptions shall only include:

(A) The applicant can document an existing certification verifying completion of the work program assessment;

(B) the applicant has a valid offer of employment or is employed a minimum of 20 hours a week;

(C) the applicant is a parenting teen without a GED or high school diploma;

(D) the applicant is enrolled in job corps;

(E) the applicant is working with a refugee social services agency; or

(F) the applicant has completed the work program assessment within the last 12 months.

(3) The department for children and families shall maintain a sufficient level of dedicated work program staff to enable the agency to conduct work program case management services to TANF recipients in a timely manner and in full accordance with state law and agency policy.

(4) TANF mandatory work program applicants and recipients shall participate in work components that lead to competitive, integrated employment. Components are defined by the federal government as being either primary or secondary. In order to meet federal work participation requirements, households need to meet at least 30 hours of participation per week, at least 20 hours of which need to be primary and at least 10 hours may be secondary components in one parent households where the youngest child is six years of age or older. Participation hours shall be 55 hours in two parent households (35 hours per week if child care is not used). The maximum assignment is 40 hours per week per individual. For two parent families to meet the federal work participation rate both parents must participate in a combined total of 55 hours per week, 50 hours of which must be in primary components, or one or both parents could be assigned a combined total of 35 hours per week (30 hours of which must be primary components) if department for children and families paid child care is not received by the family. Single parent families with a child under age six meet the federal participation requirement if the parent is engaged in work or work activities for at least 20 hours per week in a primary work component. The following components meet federal definitions of primary hours of participation: Full or part-time employment, apprenticeship, work study, self-employment, job corps, subsidized employment, work experience sites, on-the-job training, supervised community service, vocational

education, job search and job readiness. Secondary components include: Job skills training, education directly related to employment such as adult basic education and English as a second language, and completion of a high school diploma or GED.

(5) A parent or other adult caretaker personally providing care for a child under the age of three months in their TANF household is exempt from work participation activities until the month the child turns three months of age. Such three-month limitation shall not apply to a parent or other adult caretaker who is personally providing care for a child born significantly premature, with serious medical conditions or with a disability as defined by the secretary, in consultation with the secretary of health and environment, and adopted in the rules and regulations. The three-month period is defined as two consecutive months starting with the month after childbirth. The exemption for caring for a child under three months cannot be claimed:

(A) By either parent when two parents are in the home and the household meets the two-parent definition for federal reporting purposes;

(B) by one parent or caretaker when the other parent or caretaker is in the home, and available, capable and suitable to provide care and the household does not meet the two-parent definition for federal reporting purposes;

(C) by a person age 19 or younger when such person is pregnant or a parent of a child in the home and the person does not possess a high school diploma or its equivalent. Such person shall become exempt the month such person turns age 20; or

(D) by any person assigned to a work participation activity for substance use disorders.

(6) TANF work experience placements shall be reviewed after 90 days and are limited to six months per 24-month lifetime limit. A client's progress shall be reviewed prior to each new placement regardless of the length of time they are at the work experience site.

(7) TANF participants with disabilities shall engage in required employment activities to the maximum extent consistent with their abilities. TANF participants shall provide current documentation by a qualified medical practitioner that details the abilities to engage in employment and any limitations in work activities along with the expected duration of such limitations. Disability is defined as a physical or mental impairment constituting or resulting in a substantial impediment to employment for such individual.

(8) Non-cooperation is the failure of the applicant or recipient to comply with all requirements provided in state and federal law, federal and state rules and regulations and agency policy. The period of ineligibility for TANF benefits based on non-cooperation with work programs shall be as follows:

(A) For a first penalty, three months and full cooperation with work program activities;

(B) for a second penalty, six months and full cooperation with work program activities;

(C) for a third penalty, one year and full cooperation with work program activities; and

(D) for a fourth or subsequent penalty, 10 years.

(9) Individuals that have not cooperated with TANF work programs shall be ineligible to participate in the food assistance program. The comparable penalty shall be applied to only the individual in the food assistance program who failed to comply with

the TANF work requirement. The agency shall impose the same penalty to the member of the household who failed to comply with TANF requirements. The penalty periods are three months, six months, one year, or 10 years.

(10) Non-cooperation is the failure of the applicant or recipient to comply with all requirements provided in state and federal law, federal and state rules and regulations and agency policy. The period of ineligibility for child care subsidy or TANF benefits based on parents' non-cooperation with child support services shall be as follows:

(A) For the first penalty, three months and cooperation with child support services prior to regaining eligibility;

(B) for a second penalty, six months and cooperation with child support services prior to regaining eligibility;

(C) for a third penalty, one year and cooperation with child support services prior to regaining eligibility; and

(D) for a fourth penalty, 10 years.

(11) Individuals that have not cooperated without good cause with child support services shall be ineligible to participate in the food assistance program. The period of disqualification ends once it has been determined that such individual is cooperating with child support services.

(12) (A) Any individual who is found to have committed fraud or is found guilty of the crime of theft pursuant to K.S.A. 39-720, and amendments thereto, and K.S.A. 2020 Supp. 21-5801, and amendments thereto, in either the TANF or child care program shall render all adults in the family unit ineligible for TANF assistance. Adults in the household who were determined to have committed fraud or were convicted of the crime of theft pursuant to K.S.A. 39-720, and amendments thereto, and K.S.A. 2020 Supp. 21-5801, and amendments thereto, shall render themselves and all adult household members ineligible for their lifetime for TANF, even if fraud was committed in only one program. Households who have been determined to have committed fraud or were convicted of the crime of theft pursuant to K.S.A. 39-720, and amendments thereto, and K.S.A. 2020 Supp. 21-5801, and amendments thereto, shall be required to name a protective payee as approved by the secretary or the secretary's designee to administer TANF benefits or food assistance on behalf of the children. No adult in a household may have access to the TANF cash assistance benefit.

(B) Any individual that has failed to cooperate with a fraud investigation shall be ineligible to participate in the TANF cash assistance program and the child care subsidy program until the department for children and families determines that such individual is cooperating with the fraud investigation. The department for children and families shall maintain a sufficient level of fraud investigative staff to enable the department to conduct fraud investigations in a timely manner and in full accordance with state law and department rules and regulations or policies.

(13) (A) Food assistance shall not be provided to any person convicted of a felony offense occurring on or after July 1, 2015, which includes as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog. For food assistance, the individual shall be permanently disqualified if they have been convicted of a state or federal felony offense occurring on or after July 1, 2015, involving possession or use of a controlled substance or controlled substance analog.

(B) Notwithstanding the provisions of subparagraph (A), an individual shall be

eligible for food assistance if the individual enrolls in and participates in a drug treatment program approved by the secretary, submits to and passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.

An individual's failure to submit to testing or failure to successfully pass a drug test shall result in ineligibility for food assistance until a drug test is successfully passed. Failure to successfully complete a drug treatment program shall result in ineligibility for food assistance until a drug treatment plan approved by the secretary is successfully completed, the individual passes a drug test and agrees to submit to drug testing if requested by the department pursuant to a drug testing plan.

(C) The provisions of subparagraph (B) shall not apply to any individual who has been convicted for a second or subsequent felony offense as provided in subparagraph (A).

(14) No TANF cash assistance shall be used to purchase alcohol, cigarettes, tobacco products, lottery tickets, concert tickets, professional or collegiate sporting event tickets or tickets for other entertainment events intended for the general public or sexually oriented adult materials. No TANF cash assistance shall be used in any retail liquor store, casino, gaming establishment, jewelry store, tattoo parlor, massage parlor, body piercing parlor, spa, nail salon, lingerie shop, tobacco paraphernalia store, vapor cigarette store, psychic or fortune telling business, bail bond company, video arcade, movie theater, swimming pool, cruise ship, theme park, dog or horse racing facility, parimutuel facility, or sexually oriented business or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, or in any business or retail establishment where minors under age 18 are not permitted. No TANF cash assistance shall be used for purchases at points of sale outside the state of Kansas.

(15) (A) The secretary for children and families shall place a photograph of the recipient, if agreed to by such recipient of public assistance, on any Kansas benefits card issued by the Kansas department for children and families that the recipient uses in obtaining food, cash or any other services. When a recipient of public assistance is a minor or otherwise incapacitated individual, a parent or legal guardian of such recipient may have a photograph of such parent or legal guardian placed on the card.

(B) Any Kansas benefits card with a photograph of a recipient shall be valid for voting purposes as a public assistance identification card in accordance with the provisions of K.S.A. 25-2908, and amendments thereto.

(C) As used in this paragraph and its subparagraphs, "Kansas benefits card" means any card issued to provide food assistance, cash assistance or child care assistance, including, but not limited to, the vision card, EBT card and Kansas benefits card.

(D) The Kansas department for children and families shall monitor all recipient requests for a Kansas benefits card replacement and, upon the fourth such request in a 12-month period, send a notice alerting the recipient that the recipient's account is being monitored for potential suspicious activity. If a recipient makes an additional request for replacement subsequent to such notice, the department shall refer the investigation to the department's fraud investigation unit.

(16) The secretary for children and families shall adopt rules and regulations:

(A) In determining eligibility for the child care subsidy program, including an income of a cohabiting partner in a child care household; and

(B) in determining and maintaining eligibility for non-TANF child care, requiring that all included adults shall be employed a minimum of 20 hours per week or more as defined by the secretary or meet the following specific qualifying exemptions:

(i) Adults who are not capable of meeting the requirement due to a documented physical or mental condition;

(ii) adults who are former TANF recipients who need child care for employment after their TANF case has closed and earned income is a factor in the closure in the two months immediately following TANF closure;

(iii) adult parents included in a case in which the only child receiving benefits is the child of a minor parent who is working on completion of high school or obtaining a GED;

(iv) adults who are participants in a food assistance employment and training program; ~~or~~

(v) adults who are participants in an early head start child care partnership program and are working or in school or training; or

(vi) adults who are caretakers of a child in custody of the secretary in out-of-home placement needing child care.

The department for children and families shall provide child care for the pursuit of any degree or certification if the occupation has at least an average job outlook listed in the occupational outlook of the U.S. department of labor, bureau of labor statistics. For occupations with less than an average job outlook, educational plans shall require approval of the secretary or secretary's designee. Child care may also be approved if the student provides verification of a specific job offer that will be available to such student upon completion of the program. Child care for post-secondary education shall be allowed for a lifetime maximum of 24 months per adult. The 24 months may not have to be consecutive. Students shall be engaged in paid employment for a minimum of 15 hours per week. In a two-parent adult household, child care would not be allowed if both parents are adults and attending a formal education or training program at the same time. The household may choose which one of the parents is participating as a post-secondary student. The other parent shall meet another approvable criteria for child care subsidy.

(17) (A) The secretary for children and families is prohibited from requesting or implementing a waiver or program from the U.S. department of agriculture for the time limited assistance provisions for able-bodied adults aged 18 through 49 without dependents in a household under the food assistance program. The time on food assistance for able-bodied adults aged 18 through 49 without dependents in the household shall be limited to three months in a 36-month period if such adults are not meeting the requirements imposed by the U.S. department of agriculture that they must work for at least 20 hours per week or participate in a federally approved work program or its equivalent.

(B) Each food assistance household member who is not otherwise exempt from the following work requirements shall: Register for work; participate in an employment and training program, if assigned to such a program by the department; accept a suitable employment offer; and not voluntarily quit a job of at least 30 hours per week.

(C) Any recipient who has not complied with the work requirements under subparagraph (B) shall be ineligible to participate in the food assistance program for the following time period and until the recipient complies with such work requirements:

- (i) For a first penalty, three months;
- (ii) for a second penalty, six months; and
- (iii) for a third penalty and any subsequent penalty, one year.

(18) Eligibility for the food assistance program shall be limited to those individuals who are citizens or who meet qualified non-citizen status as determined by U.S. department of agriculture. Non-citizen individuals who are unable or unwilling to provide qualifying immigrant documentation, as defined by the U.S. department of agriculture, residing within a household shall not be included when determining the household's size for the purposes of assigning a benefit level to the household for food assistance or comparing the household's monthly income with the income eligibility standards. The gross non-exempt earned and unearned income and resources of disqualified individuals shall be counted in its entirety as available to the remaining household members.

(19) The secretary for children and families shall not enact the state option from the U.S. department of agriculture for broad-based categorical eligibility for households applying for food assistance according to the provisions of 7 C.F.R. § 273.2(j)(2)(ii).

(20) No federal or state funds shall be used for television, radio or billboard advertisements that are designed to promote food assistance benefits and enrollment. No federal or state funding shall be used for any agreements with foreign governments designed to promote food assistance.

(21) (A) The secretary for children and families shall not apply gross income standards for food assistance higher than the standards specified in 7 U.S.C. § 2015(c) unless expressly required by federal law. Categorical eligibility exempting households from such gross income standards requirements shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law.

(B) The secretary for children and families shall not apply resource limits standards for food assistance that are higher than the standards specified in 7 U.S.C. § 2015(g)(1) unless expressly required by federal law. Categorical eligibility exempting households from such resource limits shall not be granted for any non-cash, in-kind or other benefit unless expressly required by federal law.

(c) (1) On and after January 1, 2017, the department for children and families shall conduct an electronic check for any false information provided on an application for TANF and other benefits programs administered by the department. For TANF cash assistance, food assistance and the child care subsidy program, the department shall verify the identity of all adults in the assistance household.

(2) The department of administration shall provide monthly to the Kansas department for children and families the social security numbers or alternate taxpayer identification numbers of all persons who claim a Kansas lottery prize in excess of \$5,000 during the reported month. The Kansas department for children and families shall verify if individuals with such winnings are receiving TANF cash assistance, food assistance or assistance under the child care subsidy program and take appropriate action. The Kansas department for children and families shall use data received under this subsection solely, and for no other purpose, to determine if any recipient's eligibility for benefits has been affected by lottery prize winnings. The Kansas department for children and families shall not publicly disclose the identity of any lottery prize winner, including recipients who are determined to have illegally received benefits.

- (d) *Temporary assistance for needy families; assignment of support rights and*

*limited power of attorney.* By applying for or receiving temporary assistance for needy families such applicant or recipient shall be deemed to have assigned to the secretary on behalf of the state any accrued, present or future rights to support from any other person such applicant may have in such person's own behalf or in behalf of any other family member for whom the applicant is applying for or receiving aid. In any case in which an order for child support has been established and the legal custodian and obligee under the order surrenders physical custody of the child to a caretaker relative without obtaining a modification of legal custody and support rights on behalf of the child are assigned pursuant to this section, the surrender of physical custody and the assignment shall transfer, by operation of law, the child's support rights under the order to the secretary on behalf of the state. Such assignment shall be of all accrued, present or future rights to support of the child surrendered to the caretaker relative. The assignment of support rights shall automatically become effective upon the date of approval for or receipt of such aid without the requirement that any document be signed by the applicant, recipient or obligee. By applying for or receiving temporary assistance for needy families, or by surrendering physical custody of a child to a caretaker relative who is an applicant or recipient of such assistance on the child's behalf, the applicant, recipient or obligee is also deemed to have appointed the secretary, or the secretary's designee, as an attorney-in-fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary in behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for aid and shall remain in effect until the assignment of support rights has been terminated in full.

(e) *Requirements for medical assistance for which federal moneys or state moneys or both are expended.* (1) When the secretary has adopted a medical care plan under which federal moneys or state moneys or both are expended, medical assistance in accordance with such plan shall be granted to any person who is a citizen of the United States or who is an alien lawfully admitted to the United States and who is residing in the state of Kansas, whose resources and income do not exceed the levels prescribed by the secretary. In determining the need of an individual, the secretary may provide for income and resource exemptions and protected income and resource levels. Resources from inheritance shall be counted. A disclaimer of an inheritance pursuant to K.S.A. 59-2291, and amendments thereto, shall constitute a transfer of resources. The secretary shall exempt principal and interest held in irrevocable trust pursuant to K.S.A. 16-303(c), and amendments thereto, from the eligibility requirements of applicants for and recipients of medical assistance. Such assistance shall be known as medical assistance.

(2) For the purposes of medical assistance eligibility determinations on or after July 1, 2004, if an applicant or recipient owns property in joint tenancy with some other party and the applicant or recipient of medical assistance has restricted or conditioned their interest in such property to a specific and discrete property interest less than 100%, then such designation will cause the full value of the property to be considered an available resource to the applicant or recipient. Medical assistance eligibility for receipt of benefits under the title XIX of the social security act, commonly known as medicaid, shall not be expanded, as provided for in the patient protection and affordable care act, public law 111-148, 124 stat. 119, and the health care and education reconciliation act of 2010, public law 111-152, 124 stat. 1029, unless the legislature expressly consents to,

and approves of, the expansion of medicaid services by an act of the legislature.

(3) (A) Resources from trusts shall be considered when determining eligibility of a trust beneficiary for medical assistance. Medical assistance is to be secondary to all resources, including trusts, that may be available to an applicant or recipient of medical assistance.

(B) If a trust has discretionary language, the trust shall be considered to be an available resource to the extent, using the full extent of discretion, the trustee may make any of the income or principal available to the applicant or recipient of medical assistance. Any such discretionary trust shall be considered an available resource unless: (i) At the time of creation or amendment of the trust, the trust states a clear intent that the trust is supplemental to public assistance; and (ii) the trust: (a) Is funded from resources of a person who, at the time of such funding, owed no duty of support to the applicant or recipient of medical assistance; or (b) is funded not more than nominally from resources of a person while that person owed a duty of support to the applicant or recipient of medical assistance.

(C) For the purposes of this paragraph, "public assistance" includes, but is not limited to, medicaid, medical assistance or title XIX of the social security act.

(4) (A) When an applicant or recipient of medical assistance is a party to a contract, agreement or accord for personal services being provided by a nonlicensed individual or provider and such contract, agreement or accord involves health and welfare monitoring, pharmacy assistance, case management, communication with medical, health or other professionals, or other activities related to home health care, long term care, medical assistance benefits, or other related issues, any moneys paid under such contract, agreement or accord shall be considered to be an available resource unless the following restrictions are met: (i) The contract, agreement or accord must be in writing and executed prior to any services being provided; (ii) the moneys paid are in direct relationship with the fair market value of such services being provided by similarly situated and trained nonlicensed individuals; (iii) if no similarly situated nonlicensed individuals or situations can be found, the value of services will be based on federal hourly minimum wage standards; (iv) such individual providing the services will report all receipts of moneys as income to the appropriate state and federal governmental revenue agencies; (v) any amounts due under such contract, agreement or accord shall be paid after the services are rendered; (vi) the applicant or recipient shall have the power to revoke the contract, agreement or accord; and (vii) upon the death of the applicant or recipient, the contract, agreement or accord ceases.

(B) When an applicant or recipient of medical assistance is a party to a written contract for personal services being provided by a licensed health professional or facility and such contract involves health and welfare monitoring, pharmacy assistance, case management, communication with medical, health or other professionals, or other activities related to home health care, long term care, medical assistance benefits or other related issues, any moneys paid in advance of receipt of services for such contracts shall be considered to be an available resource.

(5) Any trust may be amended if such amendment is permitted by the Kansas uniform trust code.

(f) *Eligibility for medical assistance of resident receiving medical care outside state.* A person who is receiving medical care including long-term care outside of Kansas whose health would be endangered by the postponement of medical care until

return to the state or by travel to return to Kansas, may be determined eligible for medical assistance if such individual is a resident of Kansas and all other eligibility factors are met. Persons who are receiving medical care on an ongoing basis in a long-term medical care facility in a state other than Kansas and who do not return to a care facility in Kansas when they are able to do so, shall no longer be eligible to receive assistance in Kansas unless such medical care is not available in a comparable facility or program providing such medical care in Kansas. For persons who are minors or who are under guardianship, the actions of the parent or guardian shall be deemed to be the actions of the child or ward in determining whether or not the person is remaining outside the state voluntarily.

(g) *Medical assistance; assignment of rights to medical support and limited power of attorney; recovery from estates of deceased recipients.* (1) (A) Except as otherwise provided in K.S.A. 39-786 and 39-787, and amendments thereto, or as otherwise authorized on and after September 30, 1989, under section 303 of the federal medicare catastrophic coverage act of 1988, whichever is applicable, by applying for or receiving medical assistance under a medical care plan in which federal funds are expended, any accrued, present or future rights to support and any rights to payment for medical care from a third party of an applicant or recipient and any other family member for whom the applicant is applying shall be deemed to have been assigned to the secretary on behalf of the state. The assignment shall automatically become effective upon the date of approval for such assistance without the requirement that any document be signed by the applicant or recipient. By applying for or receiving medical assistance the applicant or recipient is also deemed to have appointed the secretary, or the secretary's designee, as an attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments, representing payments received by the secretary in on behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for assistance and shall remain in effect until the assignment has been terminated in full. The assignment of any rights to payment for medical care from a third party under this subsection shall not prohibit a health care provider from directly billing an insurance carrier for services rendered if the provider has not submitted a claim covering such services to the secretary for payment. Support amounts collected on behalf of persons whose rights to support are assigned to the secretary only under this subsection and no other shall be distributed pursuant to K.S.A. 39-756(d), and amendments thereto, except that any amounts designated as medical support shall be retained by the secretary for repayment of the unreimbursed portion of assistance. Amounts collected pursuant to the assignment of rights to payment for medical care from a third party shall also be retained by the secretary for repayment of the unreimbursed portion of assistance.

(B) Notwithstanding the provisions of subparagraph (A), the secretary of health and environment, or the secretary's designee, is hereby authorized to and shall exercise any of the powers specified in subparagraph (A) in relation to performance of such secretary's duties pertaining to medical subrogation, estate recovery or any other duties assigned to such secretary in article 74 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(2) The amount of any medical assistance paid after June 30, 1992, under the provisions of subsection (e) is: (A) A claim against the property or any interest therein

belonging to and a part of the estate of any deceased recipient or, if there is no estate, the estate of the surviving spouse, if any, shall be charged for such medical assistance paid to either or both; and (B) a claim against any funds of such recipient or spouse in any account under K.S.A. 9-1215, 17-2263 or 17-2264, and amendments thereto. There shall be no recovery of medical assistance correctly paid to or on behalf of an individual under subsection (e) except after the death of the surviving spouse of the individual, if any, and only at a time when the individual has no surviving child who is under 21 years of age or is blind or permanently and totally disabled. Transfers of real or personal property by recipients of medical assistance without adequate consideration are voidable and may be set aside. Except where there is a surviving spouse, or a surviving child who is under 21 years of age or is blind or permanently and totally disabled, the amount of any medical assistance paid under subsection (e) is a claim against the estate in any guardianship or conservatorship proceeding. The monetary value of any benefits received by the recipient of such medical assistance under long-term care insurance, as defined by K.S.A. 40-2227, and amendments thereto, shall be a credit against the amount of the claim provided for such medical assistance under this subsection. The secretary of health and environment is authorized to enforce each claim provided for under this subsection. The secretary of health and environment shall not be required to pursue every claim, but is granted discretion to determine which claims to pursue. All moneys received by the secretary of health and environment from claims under this subsection shall be deposited in the social welfare fund. The secretary of health and environment may adopt rules and regulations for the implementation and administration of the medical assistance recovery program under this subsection.

(3) By applying for or receiving medical assistance under the provisions of article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, such individual or such individual's agent, fiduciary, guardian, conservator, representative payee or other person acting on behalf of the individual consents to the following definitions of estate and the results therefrom:

(A) If an individual receives any medical assistance before July 1, 2004, pursuant to article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, which forms the basis for a claim under paragraph (2), such claim is limited to the individual's probatable estate as defined by applicable law; and

(B) if an individual receives any medical assistance on or after July 1, 2004, pursuant to article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, which forms the basis for a claim under paragraph (2), such claim shall apply to the individual's medical assistance estate. The medical assistance estate is defined as including all real and personal property and other assets in which the deceased individual had any legal title or interest immediately before or at the time of death to the extent of that interest or title. The medical assistance estate includes, without limitation assets conveyed to a survivor, heir or assign of the deceased recipient through joint tenancy, tenancy in common, survivorship, transfer-on-death deed, payable-on-death contract, life estate, trust, annuities or similar arrangement.

(4) The secretary of health and environment or the secretary's designee is authorized to file and enforce a lien against the real property of a recipient of medical assistance in certain situations, subject to all prior liens of record and transfers for value to a bona fide purchaser of record. The lien must be filed in the office of the register of deeds of the county where the real property is located within one year from the date of

death of the recipient and must contain the legal description of all real property in the county subject to the lien.

(A) After the death of a recipient of medical assistance, the secretary of health and environment or the secretary's designee may place a lien on any interest in real property owned by such recipient.

(B) The secretary of health and environment or the secretary's designee may place a lien on any interest in real property owned by a recipient of medical assistance during the lifetime of such recipient. Such lien may be filed only after notice and an opportunity for a hearing has been given. Such lien may be enforced only upon competent medical testimony that the recipient cannot reasonably be expected to be discharged and returned home. A six-month period of compensated inpatient care at a nursing home or other medical institution shall constitute a determination by the department of health and environment that the recipient cannot reasonably be expected to be discharged and returned home. To return home means the recipient leaves the nursing or medical facility and resides in the home on which the lien has been placed for a continuous period of at least 90 days without being readmitted as an inpatient to a nursing or medical facility. The amount of the lien shall be for the amount of assistance paid by the department of health and environment until the time of the filing of the lien and for any amount paid thereafter for such medical assistance to the recipient. After the lien is filed against any real property owned by the recipient, such lien will be dissolved if the recipient is discharged, returns home and resides upon the real property to which the lien is attached for a continuous period of at least 90 days without being readmitted as an inpatient to a nursing or medical facility. If the recipient is readmitted as an inpatient to a nursing or medical facility for a continuous period of less than 90 days, another continuous period of at least 90 days shall be completed prior to dissolution of the lien.

(5) The lien filed by the secretary of health and environment or the secretary's designee for medical assistance correctly received may be enforced before or after the death of the recipient by the filing of an action to foreclose such lien in the Kansas district court or through an estate probate court action in the county where the real property of the recipient is located. However, it may be enforced only:

(A) After the death of the surviving spouse of the recipient;

(B) when there is no child of the recipient, natural or adopted, who is 20 years of age or less residing in the home;

(C) when there is no adult child of the recipient, natural or adopted, who is blind or disabled residing in the home; or

(D) when no brother or sister of the recipient is lawfully residing in the home, who has resided there for at least one year immediately before the date of the recipient's admission to the nursing or medical facility, and has resided there on a continuous basis since that time.

(6) The lien remains on the property even after a transfer of the title by conveyance, sale, succession, inheritance or will unless one of the following events occur:

(A) The lien is satisfied. The recipient, the heirs, personal representative or assigns of the recipient may discharge such lien at any time by paying the amount of the lien to the secretary of health and environment or the secretary's designee;

(B) the lien is terminated by foreclosure of prior lien of record or settlement action taken in lieu of foreclosure; or

(C) the value of the real property is consumed by the lien, at which time the secretary of health and environment or the secretary's designee may force the sale for the real property to satisfy the lien.

(7) If the secretary for aging and disability services or the secretary of health and environment, or both, or such secretary's designee has not filed an action to foreclose the lien in the Kansas district court in the county where the real property is located within 10 years from the date of the filing of the lien, then the lien shall become dormant, and shall cease to operate as a lien on the real estate of the recipient. Such dormant lien may be revived in the same manner as a dormant judgment lien is revived under K.S.A. 60-2403 et seq., and amendments thereto.

(8) Within seven days of receipt of notice by the secretary for children and families or the secretary's designee of the death of a recipient of medical assistance under this subsection, the secretary for children and families or the secretary's designee shall give notice of such recipient's death to the secretary of health and environment or the secretary's designee.

(9) All rules and regulations adopted on and after July 1, 2013, and prior to July 1, 2014, to implement this subsection shall continue to be effective and shall be deemed to be duly adopted rules and regulations of the secretary of health and environment until revised, amended, revoked or nullified pursuant to law.

(h) *Placement under the revised Kansas code for care of children or revised Kansas juvenile justice code; assignment of support rights and limited power of attorney.* In any case in which the secretary for children and families pays for the expenses of care and custody of a child pursuant to K.S.A. 2020 Supp. 38-2201 et seq. or 38-2301 et seq., and amendments thereto, including the expenses of any foster care placement, an assignment of all past, present and future support rights of the child in custody possessed by either parent or other person entitled to receive support payments for the child is, by operation of law, conveyed to the secretary. Such assignment shall become effective upon placement of a child in the custody of the secretary or upon payment of the expenses of care and custody of a child by the secretary without the requirement that any document be signed by the parent or other person entitled to receive support payments for the child. When the secretary pays for the expenses of care and custody of a child or a child is placed in the custody of the secretary, the parent or other person entitled to receive support payments for the child is also deemed to have appointed the secretary, or the secretary's designee, as attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary on behalf of the child. This limited power of attorney shall be effective from the date the assignment to support rights becomes effective and shall remain in effect until the assignment of support rights has been terminated in full.

(i) No person who voluntarily quits employment or who is fired from employment due to gross misconduct as defined by rules and regulations of the secretary or who is a fugitive from justice by reason of a felony conviction or charge or violation of a condition of probation or parole imposed under federal or state law shall be eligible to receive public assistance benefits in this state. Any recipient of public assistance who fails to timely comply with monthly reporting requirements under criteria and guidelines prescribed by rules and regulations of the secretary shall be subject to a penalty established by the secretary by rules and regulations.

(j) If the applicant or recipient of temporary assistance for needy families is a mother of the dependent child, as a condition of the mother's eligibility for temporary assistance for needy families the mother shall identify by name and, if known, by current address the father of the dependent child except that the secretary may adopt by rules and regulations exceptions to this requirement in cases of undue hardship. Any recipient of temporary assistance for needy families who fails to cooperate with requirements relating to child support services under criteria and guidelines prescribed by rules and regulations of the secretary shall be subject to a penalty established by the secretary.

(k) By applying for or receiving child care benefits or food assistance, the applicant or recipient shall be deemed to have assigned, pursuant to K.S.A. 39-756, and amendments thereto, to the secretary on behalf of the state only accrued, present or future rights to support from any other person such applicant may have in such person's own behalf or in behalf of any other family member for whom the applicant is applying for or receiving aid. The assignment of support rights shall automatically become effective upon the date of approval for or receipt of such aid without the requirement that any document be signed by the applicant or recipient. By applying for or receiving child care benefits or food assistance, the applicant or recipient is also deemed to have appointed the secretary, or the secretary's designee, as an attorney in fact to perform the specific act of negotiating and endorsing all drafts, checks, money orders or other negotiable instruments representing support payments received by the secretary in behalf of any person applying for, receiving or having received such assistance. This limited power of attorney shall be effective from the date the secretary approves the application for aid and shall remain in effect until the assignment of support rights has been terminated in full. An applicant or recipient who has assigned support rights to the secretary pursuant to this subsection shall cooperate in establishing and enforcing support obligations to the same extent required of applicants for or recipients of temporary assistance for needy families.

(l) (1) A program of drug screening for applicants for cash assistance as a condition of eligibility for cash assistance and persons receiving cash assistance as a condition of continued receipt of cash assistance shall be established, subject to applicable federal law, by the secretary for children and families on and before January 1, 2014. Under such program of drug screening, the secretary for children and families shall order a drug screening of an applicant for or a recipient of cash assistance at any time when reasonable suspicion exists that such applicant for or recipient of cash assistance is unlawfully using a controlled substance or controlled substance analog. The secretary for children and families may use any information obtained by the secretary for children and families to determine whether such reasonable suspicion exists, including, but not limited to, an applicant's or recipient's demeanor, missed appointments and arrest or other police records, previous employment or application for employment in an occupation or industry that regularly conducts drug screening, termination from previous employment due to unlawful use of a controlled substance or controlled substance analog or prior drug screening records of the applicant or recipient indicating unlawful use of a controlled substance or controlled substance analog.

(2) Any applicant for or recipient of cash assistance whose drug screening results in a positive test may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any applicant for or recipient of cash

assistance who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening. Such applicant or recipient who took the additional drug screening and who tested negative for unlawful use of a controlled substance and controlled substance analog shall be reimbursed for the cost of such additional drug screening.

(3) Any applicant for or recipient of cash assistance who tests positive for unlawful use of a controlled substance or controlled substance analog shall be required to complete a substance abuse treatment program approved by the secretary for children and families, secretary of labor or secretary of commerce, and a job skills program approved by the secretary for children and families, secretary of labor or secretary of commerce. Subject to applicable federal laws, any applicant for or recipient of cash assistance who fails to complete or refuses to participate in the substance abuse treatment program or job skills program as required under this subsection shall be ineligible to receive cash assistance until completion of such substance abuse treatment and job skills programs. Upon completion of both substance abuse treatment and job skills programs, such applicant for or recipient of cash assistance may be subject to periodic drug screening, as determined by the secretary for children and families. Upon a second positive test for unlawful use of a controlled substance or controlled substance analog, a recipient of cash assistance shall be ordered to complete again a substance abuse treatment program and job skills program, and shall be terminated from cash assistance for a period of 12 months, or until such recipient of cash assistance completes both substance abuse treatment and job skills programs, whichever is later. Upon a third positive test for unlawful use of a controlled substance or controlled substance analog, a recipient of cash assistance shall be terminated from cash assistance, subject to applicable federal law.

(4) If an applicant for or recipient of cash assistance is ineligible for or terminated from cash assistance as a result of a positive test for unlawful use of a controlled substance or controlled substance analog, and such applicant for or recipient of cash assistance is the parent or legal guardian of a minor child, an appropriate protective payee shall be designated to receive cash assistance on behalf of such child. Such parent or legal guardian of the minor child may choose to designate an individual to receive cash assistance for such parent's or legal guardian's minor child, as approved by the secretary for children and families. Prior to the designated individual receiving any cash assistance, the secretary for children and families shall review whether reasonable suspicion exists that such designated individual is unlawfully using a controlled substance or controlled substance analog.

(A) In addition, any individual designated to receive cash assistance on behalf of an eligible minor child shall be subject to drug screening at any time when reasonable suspicion exists that such designated individual is unlawfully using a controlled substance or controlled substance analog. The secretary for children and families may use any information obtained by the secretary for children and families to determine whether such reasonable suspicion exists, including, but not limited to, the designated individual's demeanor, missed appointments and arrest or other police records, previous employment or application for employment in an occupation or industry that regularly conducts drug screening, termination from previous employment due to unlawful use of a controlled substance or controlled substance analog or prior drug screening records of the designated individual indicating unlawful use of a controlled substance or controlled

substance analog.

(B) Any designated individual whose drug screening results in a positive test may request that the drug screening specimen be sent to a different drug testing facility for an additional drug screening. Any designated individual who requests an additional drug screening at a different drug testing facility shall be required to pay the cost of drug screening. Such designated individual who took the additional drug screening and who tested negative for unlawful use of a controlled substance and controlled substance analog shall be reimbursed for the cost of such additional drug screening.

(C) Upon any positive test for unlawful use of a controlled substance or controlled substance analog, the designated individual shall not receive cash assistance on behalf of the parent's or legal guardian's minor child, and another designated individual shall be selected by the secretary for children and families to receive cash assistance on behalf of such parent's or legal guardian's minor child.

(5) If a person has been convicted under federal or state law of any offense which is classified as a felony by the law of the jurisdiction and which has as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog, and the date of conviction is on or after July 1, 2013, such person shall thereby become forever ineligible to receive any cash assistance under this subsection unless such conviction is the person's first conviction. First-time offenders convicted under federal or state law of any offense which is classified as a felony by the law of the jurisdiction and which has as an element of such offense the manufacture, cultivation, distribution, possession or use of a controlled substance or controlled substance analog, and the date of conviction is on or after July 1, 2013, such person shall become ineligible to receive cash assistance for five years from the date of conviction.

(6) Except for hearings before the Kansas department for children and families or, the results of any drug screening administered as part of the drug screening program authorized by this subsection shall be confidential and shall not be disclosed publicly.

(7) The secretary for children and families may adopt such rules and regulations as are necessary to carry out the provisions of this subsection.

(8) Any authority granted to the secretary for children and families under this subsection shall be in addition to any other penalties prescribed by law.

(9) As used in this subsection:

(A) "Cash assistance" means cash assistance provided to individuals under the provisions of article 7 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto, and any rules and regulations adopted pursuant to such statutes.

(B) "Controlled substance" means the same as in K.S.A. 2020 Supp. 21-5701, and amendments thereto, and 21 U.S.C. § 802.

(C) "Controlled substance analog" means the same as in K.S.A. 2020 Supp. 21-5701, and amendments thereto.

Sec. 5. K.S.A. 65-516 is hereby amended to read as follows: 65-516. (a) No person shall knowingly maintain a child care facility if there resides, works or regularly volunteers any person who in this state or in other states or the federal government:

(1) (A) Has been convicted of a crime that is classified as a person felony under the Kansas criminal code;

(B) has been convicted of a felony under K.S.A. 2010 Supp. 21-36a01 through 21-36a17, prior to their transfer, or article 57 of chapter 21 of the Kansas Statutes

Annotated, and amendments thereto, or any felony violation of any provision of the uniform controlled substances act prior to July 1, 2009;

(C) has been convicted of any act that is described in articles 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2020 Supp. 21-6104, 21-6325, 21-6326, 21-6418 through 21-6422 or 21-6424, and amendments thereto, or been convicted of an attempt under K.S.A. 21-3301, prior to its repeal, or K.S.A. 2020 Supp. 21-5301, and amendments thereto, to commit any such act or been convicted of conspiracy under K.S.A. 21-3302, prior to its repeal, or K.S.A. 2020 Supp. 21-5302, and amendments thereto, to commit such act, or similar statutes of any other state or the federal government;

(D) has been convicted of any act that is described in K.S.A. 21-4301 or 21-4301a, prior to their repeal, or K.S.A. 2020 Supp. 21-6401, and amendments thereto, or similar statutes of any other state or the federal government; or

(E) has been convicted of any act that is described in K.S.A. 21-3718 or 21-3719, prior to their repeal, or K.S.A. 2020 Supp. 21-5812, and amendments thereto, or similar statutes of any other state or the federal government;

(2) except as provided in subsection (b), has been adjudicated a juvenile offender because of having committed an act that if done by an adult would constitute the commission of a felony and that is a crime against persons, is any act described in articles 34, 35 or 36 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54, 55 or 56 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2020 Supp. 21-6104, 21-6325, 21-6326, 21-6418 through 21-6422 or 21-6424, and amendments thereto, or similar statutes of any other state or the federal government, or is any act described in K.S.A. 21-4301 or 21-4301a, prior to their repeal, or K.S.A. 2020 Supp. 21-6401, and amendments thereto, or similar statutes of any other state or the federal government;

(3) has been convicted or adjudicated of a crime that requires registration as a sex offender under the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, as a sex offender in any other state or as a sex offender on the national sex offender registry;

(4) has committed an act of physical, mental or emotional abuse or neglect or sexual abuse and who is listed in the child abuse and neglect registry maintained by the Kansas department for children and families pursuant to K.S.A. 2020 Supp. 38-2226, and amendments thereto, or any similar child abuse and neglect registries maintained by any other state or the federal government and:

(A) The person has failed to successfully complete a corrective action plan that had been deemed appropriate and approved by the Kansas department for children and families or requirements of similar entities in any other state or the federal government; or

(B) the record has not been expunged pursuant to rules and regulations adopted by the secretary for children and families or similar entities in any other state or the federal government;

(5) has had a child removed from home based on a court order pursuant to K.S.A. 2020 Supp. 38-2251, and amendments thereto, in this state, or a court order in any other state based upon a similar statute that finds the child to be deprived or a child in need of care based on a finding of physical, mental or emotional abuse or neglect or sexual

abuse and the child has not been returned to the home or the child reaches majority before being returned to the home and the person has failed to satisfactorily complete a corrective action plan approved by the department of health and environment;

(6) has had parental rights terminated pursuant to the Kansas juvenile code or K.S.A. 2020 Supp. 38-2266 through 38-2270, and amendments thereto, or a similar statute of other states;

(7) has signed a diversion agreement pursuant to K.S.A. 22-2906 et seq., and amendments thereto, or an immediate intervention agreement pursuant to K.S.A. 2020 Supp. 38-2346, and amendments thereto, involving a charge of child abuse or a sexual offense; or

(8) has an infectious or contagious disease.

(b) If the secretary determines there is no safety concern, the secretary may license a family foster home, as defined in K.S.A. 38-134, and amendments thereto, when a person who has been adjudicated as a juvenile offender for an offense described in subsection (a)(2):

(1) Was a child in the custody of the secretary and placed with such family foster home by the secretary;

(2) is 18 years of age or older;

(3) (A) maintains residence at such family foster home; or

(B) has been legally adopted by any person who resides at such family foster home;  
and

(4) six months have passed since the date of adjudication.

~~(b)(c)~~ No person shall maintain a child care facility if such person has been found to be a person in need of a guardian or a conservator, or both, as provided in K.S.A. 59-3050 through 59-3095, and amendments thereto.

~~(c)(d)~~ Any person who resides in a child care facility and who has been found to be in need of a guardian or a conservator, or both, shall be counted in the total number of children allowed in care.

~~(d)(c)~~ In accordance with the provisions of this subsection, the secretary of health and environment shall have access to any court orders or adjudications of any court of record, any records of such orders or adjudications, criminal history record information including, but not limited to, diversion agreements, in the possession of the Kansas bureau of investigation and any report of investigations as authorized by K.S.A. 2020 Supp. 38-2226, and amendments thereto, in the possession of the Kansas department for children and families or court of this state concerning persons working, regularly volunteering or residing in a child care facility. The secretary shall have access to these records for the purpose of determining whether or not the home meets the requirements of K.S.A. 59-2132, 65-503, 65-508 and 65-516, and amendments thereto.

~~(e)(f)~~ In accordance with the provisions of this subsection, the secretary is authorized to conduct national criminal history record checks to determine criminal history on persons residing, working or regularly volunteering in a child care facility. In order to conduct a national criminal history check the secretary shall require fingerprinting for identification and determination of criminal history. The secretary shall submit the fingerprints to the Kansas bureau of investigation and to the federal bureau of investigation and receive a reply to enable the secretary to verify the identity of such person and whether such person has been convicted of any crime that would prohibit such person from residing, working or regularly volunteering in a child care

facility. The secretary is authorized to use information obtained from the national criminal history record check to determine such person's fitness to reside, work or regularly volunteer in a child care facility.

~~(f)~~(g) Local and state law enforcement officers and agencies shall assist the secretary in taking and processing fingerprints of persons residing, working or regularly volunteering in a child care facility and shall release all records of adult convictions and nonconvictions and adult convictions or adjudications of another state or country to the department.

~~(e)~~(h) (1) The secretary shall adopt rules and regulations on or before January 1, 2019, to fix a fee for fingerprinting persons residing, working or regularly volunteering in a child care facility, as may be required by the department to reimburse the department for the cost of the fingerprinting.

(2) The secretary shall remit all moneys received from the fees established under this section 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 child care criminal background and fingerprinting fund.

~~(h)~~(i) The child care criminal background and fingerprinting fund is hereby created in the state treasury to be administered by the secretary of health and environment. All moneys credited to the child care criminal background and fingerprinting fund shall be used to pay local and state law enforcement officers and agencies for the processing of fingerprints and criminal history background checks for the department. All expenditures from the child care criminal background and fingerprinting 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 secretary or by a person designated by the secretary.

~~(f)~~(j) The secretary shall notify the child care applicant or licensee, within seven days by certified mail with return receipt requested, when the result of the national criminal history record check or other appropriate review reveals unfitness specified in subsections (a)(1) through (8) with regard to the person who is the subject of the review.

~~(f)~~(k) No child care facility or the employees thereof, shall be liable for civil damages to any person refused employment or discharged from employment by reason of such facility's or home's compliance with the provisions of this section if such home acts in good faith to comply with this section.

~~(e)~~(l) For the purpose of subsection (a)(3), a person listed in the child abuse and neglect central registry shall not be prohibited from residing, working or volunteering in a child care facility unless such person has:

(1) Had an opportunity to be interviewed and present information during the investigation of the alleged act of abuse or neglect; and

(2) been given notice of the agency decision and an opportunity to appeal such decision to the secretary and to the courts pursuant to the Kansas judicial review act.

~~(h)~~(m) In regard to Kansas issued criminal history records:

(1) The secretary of health and environment shall provide in writing information available to the secretary to each child placement agency requesting information under this section, including the information provided by the Kansas bureau of investigation pursuant to this section, for the purpose of assessing the fitness of persons living, working or regularly volunteering in a family foster home under the child placement

agency's sponsorship.

(2) The child placement agency is considered to be a governmental entity and the designee of the secretary of health and environment for the purposes of obtaining, using and disseminating information obtained under this section.

(3) The information shall be provided to the child placement agency regardless of whether the information discloses that the subject of the request has been convicted of any offense.

(4) Whenever the information available to the secretary reveals that the subject of the request has no criminal history on record, the secretary shall provide notice thereof in writing to each child placement agency requesting information under this section.

(5) Any staff person of a child placement agency who receives information under this subsection shall keep such information confidential, except that the staff person may disclose such information on a need-to-know basis to:

- (A) The person who is the subject of the request for information;
- (B) the applicant or operator of the family foster home in which the person lives, works or regularly volunteers;
- (C) the department of health and environment;
- (D) the Kansas department for children and families;
- (E) the department of corrections; and
- (F) the courts.

(6) A violation of the provisions of ~~subsection (4)(5)~~ paragraph (5) shall be an unclassified misdemeanor punishable by a fine of \$100 for each violation.

~~(m)(n)~~ No person shall maintain a day care facility unless such person is a high school graduate or the equivalent thereof, except where extraordinary circumstances exist, the secretary of health and environment may exercise discretion to make exceptions to this requirement. The provisions of this subsection shall not apply to any person who was maintaining a day care facility on the day immediately prior to July 1, 2010, or who had an application for an initial license or the renewal of an existing license pending on July 1, 2010.";

On page 9, in line 16, after the first "K.S.A." by inserting "65-516,"; in line 17, after "243" by inserting ", 38-2226 and 39-709"; in line 19, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "open government" and inserting "health and welfare; providing for the safety and wellbeing of children and vulnerable persons; establishing the joint committee on child welfare system oversight"; in line 3, after the semicolon, by inserting "requiring visual observation of a child in investigations of child abuse or neglect; adding an exemption from the child care assistance 20-hour-per-week work requirement; permitting the secretary to provide exemptions from family foster home license requirements;"; in line 7, after "K.S.A." by inserting "65-516,"; in line 8, after "22a-243" by inserting ", 38-2226 and 39-709";

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

RICHARD HILDERBRAND

BEVERLY GOSSAGE

PAT PETTEY

*Conferees on part of Senate*

SUSAN CONCANNON

CHARLOTTE ESAU

JARROD OUSLEY

*Conferees on part of House*

On motion of Rep. Concannon, the conference committee report on **HB 2158** was adopted.

On roll call, the vote was: Yeas 121; Nays 0; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: None.

Present but not voting: None.

Absent or not voting: Awerkamp, Howard, Neighbor, Samsel.

#### **MOTIONS TO CONCUR AND NONCONCUR**

On motion of Rep. Hoheisel, the House concurred in Senate amendments to **HB 2187**, AN ACT establishing the first-time home buyer savings account act; relating to financial institutions; providing for addition and subtraction modifications for contributions to first-time home buyer savings accounts under the Kansas income tax act; amending K.S.A. 79-32,117 and repealing the existing section.

On roll call, the vote was: Yeas 119; Nays 2; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson,

Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Newland, Ohaebosim, Orr, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Helgerson, Ousley.

Present but not voting: None.

Absent or not voting: Awerkamp, Howard, Neighbor, Samsel.

On motion of Rep. Hawkins, the House adjourned until 10:00 a.m., Thursday, May 6, 2021.

# Journal of the House

SIXTY-THIRD DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Thursday, May 6, 2021, 10:00 a.m.

The House met pursuant to adjournment with Speaker pro tem Finch in the chair.

The roll was called with 123 members present.

Rep. Howard was excused on verified illness.

Rep. Averkamp was excused on excused absence by the Speaker.

Excused later: Rep. Samsel.

Prayer by Chaplain Brubaker:

Almighty God,  
today we are reminded how good You are.  
Please come alongside our legislators today  
and may their decisions be in line with Your purpose.  
Give them encouragement  
when their hard work and desire for progress  
becomes frustrated or hopeless.  
Guide them with Your counsel  
when they are inclined to lead by their own impulses.  
Give them confidence in Your plan and will  
when they are confused with uncertainty.  
Teach them the importance of patience  
when faced with those who don't or won't seem to listen.  
Give them Your grace to work together  
when it appears their best efforts seem to be failing.  
In Your Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Day.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Federal and State Affairs: **HB 2454**.

Judiciary: **SB 286**.

## MESSAGES FROM THE SENATE

The Senate concurs in House amendments to **SB 39**, and requests return of the bill.

The Senate adopts the Conference Committee report on **SB 47**.

The Senate adopts the Conference Committee report on **SB 60**.

The Senate adopts the Conference Committee report on **SB 170**.

The Senate adopts the Conference Committee report on **SB 238**.

The Senate announced the appointment of Senators Baumgardner, Erickson, and Sykes to replace Senators Longbine, Peck, and Holscher as conferees on **HB 2134**.

### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hawkins, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2313**, **SB 158**, **HB 2056**.

### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. A. Smith, the House nonconcurred in Senate amendments to **HB 2313** and asked for a conference.

Speaker pro tem Finch thereupon appointed Reps. A. Smith, Mason and Gartner as conferees on the part of the House.

### CHANGE OF CONFEREES

Speaker pro tem Finch announced the appointment of Reps. Williams, Hoffman, and Winn to replace Reps. S. Johnson, Croft, and Neighbor as members of the conference committee on **HB 2134**.

On motion of Rep. Hawkins, the House resolved into the Committee of the Whole, with Rep. Landwehr in the chair.

### COMMITTEE OF THE WHOLE

On motion of Rep. Landwehr, Committee of the Whole report, as follows, was adopted:

Recommended that **HB 2056** be passed.

Committee report recommending a substitute bill to **SB 158** be adopted.

Also, on motion of Rep. Hoyer to amend **H Sub SB 158**, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Howe to amend **H Sub SB 158** as amended by House Committee, on page 4, in line 18, after the first "a" by inserting "licensed pharmacy that is operated by a"; also in line 18, after "person" by inserting "who is a pharmacist licensed in this state and who has registered with the board of pharmacy and been";

On page 31, in line 40, after "(6)" by inserting "the applicant is applying for a license to dispense medical marijuana at retail and demonstrates that such applicant is a pharmacist licensed in this state that has registered with the board of pharmacy in accordance with rules and regulations adopted by the board;

(7)";

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

On page 39, in line 18, after "(1)" by inserting "Pharmacy to register as a"; also in line 18, by striking the first "to" and inserting ";

(2) pharmacy to";

Also on page 39, also in line 18, after "report" by inserting "all transactions";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

On roll call, the vote was: Yeas 45; Nays 73; Present but not voting: 0; Absent or not voting: 7.

Yeas: Anderson, Bergquist, Blex, Burris, B. Carpenter, Corbet, Delperdang, Dodson, M., Donohoe, Ellis, Esau, Estes, French, Highland, Hoffman, Howe, Huebert, Humphries, Jacobs, T. Johnson, Landwehr, Lee-Hahn, Mason, Minnix, Moser, Murphy, Orr, Owens, Penn, Proctor, Rahjes, Resman, Rhiley, Samsel, Sanders, Smith, A., Smith, C., Smith, E., Tarwater, Toplikar, Turner, Waggoner, Wasinger, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Arnberger, Baker, Ballard, Barker, Bergkamp, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Curtis, Day, Eplee, Fairchild, Featherston, Finch, Finney, Francis, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Hoheisel, Houser, Hoye, Kelly, Kessler, Kuether, Long, Lynn, Miller, Neelly, Newland, Ohaebosim, Ousley, Parker, F. Patton, Poetter, Poskin, Probst, Proehl, Ralph, Ruiz, L., Ruiz, S., Ryckman, Sawyer, Schreiber, Seiwert, Stogsdill, Sutton, Thomas, Thompson, Vaughn, Victors, Waymaster, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Awerkamp, Carmichael, Croft, Howard, Jennings, S. Johnson, Neighbor.

The motion of Rep. Howe to amend did not prevail.

Also, on motion of Rep. Finney, **H Sub SB 158** be amended as amended by House Committee, on page 3, in line 35, after "(12)" by inserting "lupus;

(13)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

Also, on motion of Rep. Proehl, **H Sub SB 158** be amended as amended by House Committee, on page 25, in line 5, after "(a)" by inserting "(1) Within 45 days of the effective date of this act, the director of alcoholic beverage control shall establish a medical marijuana pilot program and select a company for the purpose of cultivating, testing, processing, distributing and researching medical marijuana. Such company shall operate the pilot program by entering into a public-private partnership with the university of Kansas, Kansas state university and Pittsburg state university. Such public-private partnership shall develop and provide the director with recommended best practices for all aspects of the cultivation, processing, dispensing and research and development of medical marijuana.

(2) Notwithstanding any provision of this act to the contrary, the director shall issue such company one cultivator license, one laboratory license, one processor license, one distributor license and three retail dispensary licenses that shall be valid for the duration of the public-private partnership.

(b) (1)";

Also on page 25, in line 11, by striking "(b)" and inserting "(2)"; in line 13, by striking "(1)" and inserting "(A)"; in line 19, by striking "(A)" and inserting "(i)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

Also, on motion of Rep. Proctor to amend **H Sub SB 158**, the motion did not prevail.

Also, roll call was demanded on further motion of Rep. Proctor to amend **H Sub SB 158** as amended by House Committee, on page 1, in line 22, by striking "47" and inserting "46";

On page 27, in line 2, by striking "45" and inserting "44"; in line 8, by striking "45" and inserting "44";

On page 31, in line 20, by striking "43" and inserting "42"; in line 33, by striking "42" and inserting "41";

On page 32, in line 43, by striking "a" and inserting "pill or capsule"; also in line 43, by striking "described in section 31, and amendments thereto";

On page 34, in line 4, by striking "43" and inserting "42"; in line 26, by striking "38" and inserting "37";

On page 35, in line 9, by striking "39" and inserting "38"; in line 20, by striking "Only the following forms of"; in line 21, by striking "may" and inserting "shall only"; also in line 21, by striking the colon; by striking all in lines 22 through 27; in line 28, by striking all before the period and inserting "in pill or capsule form"; in line 33, by striking "Plant material" and inserting "No pill or capsule"; also in line 33, by striking "not"; in line 35, by striking all after "(e)"; by striking all in line 36; in line 37, by striking all before "medical"; by striking all in lines 39 through 43;

On page 36, by striking all in lines 1 through 13;

On page 49, in line 42, by striking "83" and inserting "82";

On page 53, in line 10, by striking "83" and inserting "82"; in line 40, by striking "83" and inserting "82";

On page 54, in line 18, by striking "83" and inserting "82";

On page 57, in line 9, by striking "83" and inserting "82"; in line 33, by striking "83" and inserting "82";

On page 58, in line 6, by striking "38" and inserting "37"; in line 35, by striking "39" and inserting "38";

On page 59, in line 5, by striking "83" and inserting "82"; also in line 5, by striking "39" and inserting "38"; in line 6, by striking "39" and inserting "38";

On page 70, in line 20, by striking "83" and inserting "82"; in line 21, by striking "67" and inserting "66";

On page 105, in line 42, by striking "83" and inserting "82";

On page 117, in line 1, by striking "83" and inserting "82";

On page 121, in line 42, by striking "39" and inserting "38";

And by renumbering sections accordingly;

On page 1, in the title, in line 16, by striking "67" and inserting "66"; in line 18, by striking "39" and inserting "38"

On roll call, the vote was: Yeas 39; Nays 79; Present but not voting: 0; Absent or not voting: 7.

Yeas: Arnberger, Bergquist, Burris, B. Carpenter, Collins, Corbet, Croft, Donohoe, Ellis, Esau, Estes, French, Helmer, Highland, Hoffman, Howe, Huebert, Jacobs, Jennings, T. Johnson, Landwehr, Lee-Hahn, Mason, Minnix, Moser, Orr, Owens, Penn, Proctor, Resman, Sanders, Smith, A., Smith, C., Smith, E., Toplikar, Waggoner, Wasinger, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Anderson, Baker, Ballard, Barker, Bergkamp, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, W. Carpenter, Clark, Clayton,

Coleman, Concannon, Curtis, Day, Delperdang, Dodson, M., Eplee, Fairchild, Featherston, Finch, Finney, Francis, Gartner, Hawkins, Helgerson, Henderson, Highberger, Hoheisel, Houser, Hoye, S. Johnson, Kelly, Kessler, Kuether, Long, Lynn, Miller, Murphy, Neelly, Neighbor, Newland, Ohaebosim, Ousley, Parker, F. Patton, Poetter, Poskin, Probst, Proehl, Rahjes, Ralph, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sawyer, Schreiber, Seiwert, Stogsdill, Sutton, Tarwater, Thomas, Thompson, Turner, Vaughn, Waymaster, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Awerkamp, Garber, Haswood, Howard, Humphries, Rhiley, Victors.

The motion of Rep. Proctor to amend did not prevail.

Also, on motion of Rep. Kessler to amend **H Sub SB 158**, the motion did not prevail.

Also, on motion of Rep. Coleman to amend **H Sub SB 158**, the motion did not prevail.

Also, roll call was demanded on motion of Rep. Waggoner, to amend **H Sub SB 158** as amended by House Committee, on page 16, by striking all in line 19; in line 21, after "marijuana" by inserting "; and

(7) signage requirements for retail dispensaries to properly warn pregnant women and anyone with psychiatric or emotional disorders of the adverse effects of marijuana";

On page 35, in line 11, after "shall" by inserting ":

(1) Maintain a 9" by 18" sign that is prominently displayed near the check-out counter and the primary door of entry and exit that includes a warning in accordance with rules and regulations adopted by the board of healing arts that warns pregnant women and anyone with psychiatric or emotional disorders that marijuana of any type can be dangerous to your health; and

(2)"

On roll call, the vote was: Yeas 73; Nays 47; Present but not voting: 0; Absent or not voting: 5.

Yeas: Anderson, Arnberger, Bergkamp, Bergquist, Blex, Burris, Burroughs, Carlin, Carlson, B. Carpenter, Clark, Collins, Corbet, Croft, Delperdang, Donohoe, Ellis, Esau, Featherston, Finch, Francis, French, Garber, Hawkins, Helgerson, Helmer, Highland, Hoffman, Hoheisel, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Neelly, Newland, Orr, Owens, F. Patton, Poskin, Probst, Proctor, Rahjes, Rhiley, Ryckman, Samsel, Sanders, Seiwert, Smith, A., Smith, C., Smith, E., Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Wolfe Moore.

Nays: Alcalá, Amyx, Baker, Barker, Bishop, Borjon, Byers, Carmichael, W. Carpenter, Clayton, Coleman, Concannon, Curtis, Day, Dodson, M., Eplee, Fairchild, Finney, Gartner, Haswood, Henderson, Highberger, Houser, T. Johnson, Kelly, Kessler, Kuether, Murphy, Neighbor, Ohaebosim, Ousley, Parker, Poetter, Proehl, Ralph, Resman, Ruiz, L., Ruiz, S., Sawyer, Schreiber, Stogsdill, Sutton, Vaughn, Victors, Winn, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Awerkamp, Ballard, Estes, Howard, Penn.

Also, on further motion of Rep. Waggoner to amend **H Sub SB 158**, the motion did

not prevail.

Also, roll call was demanded on further motion of Rep. Waggoner to amend **H Sub SB 158** as amended by House Committee, on page 31, in line 18, after "(b)" by inserting "Except as provided in subsection (e).";

On page 32, following line 21, by inserting:

"(e) The board of county commissioners of any county may prohibit a licensee from establishing a facility licensed under this act in such county by adoption of a resolution prohibiting the establishment of any facility licensed under this act in such county. Any licensee that is lawfully operating at the time such resolution is adopted shall be permitted to continue operating in such county and shall not be denied renewal of any license based upon the adoption of such resolution.";

On page 34, in line 16, by striking "unless prohibited pursuant to subsection (f).";

On page 35, by striking all in lines 13 through 19;

On page 57, in line 38, by striking "unless prohibited pursuant to subsection (f).";

On page 58, by striking lines 38 through 43;

On page 59, by striking lines 1 and 2;

On page 63, in line 17, by striking "30" and inserting "26";

On page 1, in the title, in line 13, by striking "retail dispensaries" and inserting "licensed facilities"

On roll call, the vote was: Yeas 60; Nays 55; Present but not voting: 0; Absent or not voting: 10.

Yeas: Anderson, Arnberger, Bergkamp, Bergquist, Blex, Burris, B. Carpenter, W. Carpenter, Corbet, Croft, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helgerson, Highberger, Highland, Houser, Howe, Humphries, Jacobs, S. Johnson, Kelly, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Newland, Owens, Proctor, Proehl, Rahjes, Resman, Rhiley, Sanders, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger.

Nays: Alcalá, Amyx, Baker, Ballard, Barker, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, Clark, Clayton, Coleman, Collins, Concannon, Curtis, Day, Featherston, Finney, Gartner, Haswood, Henderson, Hoheisel, Hoye, Jennings, T. Johnson, Kessler, Kuether, Miller, Neelly, Neighbor, Ohaebosim, Orr, Parker, Poetter, Poskin, Probst, Ruiz, L., Ruiz, S., Samsel, Sawyer, Schreiber, Stogsdill, Vaughn, Victors, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Awerkamp, Helmer, Hoffman, Howard, Huebert, Ousley, F. Patton, Penn, Ralph, Ryckman.

The motion of Rep. Waggoner to amend prevailed.

Also, on further motion of Rep. Waggoner to amend **H Sub SB 158**, the motion did not prevail.

Also, on further motion of Rep. Waggoner, **H Sub SB 158** be amended as amended by House Committee, on page 7, in line 14, after "(1)" by inserting "(A)"; in line 15, after "condition" by inserting ":

(i)";

Also on page 7, in line 16, after "act" by inserting " or

(ii) that was previously recommended for approval by the committee and adopted

by the secretary of health and environment through rules and regulations be removed as a qualifying medical condition for the purposes of this act";

Also on page 7, in line 17, before "The" by inserting "(B)"; in line 19, after "add" by inserting "or remove"; in line 24, after "to" by inserting "or removal from"; in line 41, after "addition" by inserting "or removal"; following line 43, by inserting:

"(4) Prior to July 1, 2024, and every three years thereafter, the committee shall review all diseases or conditions that have been recommended for approval by the committee and adopted by the secretary of health and environment through rules and regulations to determine if the inclusion of any such diseases or conditions are no longer supported by scientific evidence. The inclusion of any such disease or condition that the committee determines is no longer supported by scientific evidence shall be recommended by the committee to the secretary of health and environment for removal from the list of qualifying medical conditions."

Also, on motion of Rep. Coleman to amend **H Sub SB 158**, Rep. B. Carpenter requested a ruling on the amendment being germane to the bill. The Rules Chair ruled the amendment was germane.

The motion of Rep. Coleman to amend **H Sub SB 158**, the motion did not prevail.

Also, roll call was demanded on motion of Rep. E. Smith to amend **H Sub SB 158** as amended by House Committee, on page 1, by striking all in lines 22 through 36;

By striking all on pages 2 through 121 and inserting:

"New Section 1. (a) False representation of medical marijuana information is knowingly providing false information or documentation to a law enforcement officer:

(1) With the intent to cause such law enforcement officer to believe the person qualifies for the affirmative defense to possession of marijuana described in K.S.A. 2020 Supp. 21-5706, and amendments thereto; and

(2) that causes such law enforcement officer to take any action related to the person that the law enforcement officer otherwise would not have taken if the false information or documentation was not provided to the law enforcement officer.

(b) False representation of medical marijuana information is a severity level 8, nonperson felony.

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

Sec. 2. K.S.A. 2020 Supp. 21-5706 is hereby amended to read as follows: 21-5706.

(a) It shall be unlawful for any person to possess any opiates, opium or narcotic drugs, or any stimulant designated in K.S.A. 65-4107(d)(1), (d)(3) or (f)(1), and amendments thereto, or a controlled substance analog thereof.

(b) It shall be unlawful for any person to possess any of the following controlled substances or controlled substance analogs thereof:

(1) Any depressant designated in K.S.A. 65-4105(e), 65-4107(e), 65-4109(b) or (c) or 65-4111(b), and amendments thereto;

(2) any stimulant designated in K.S.A. 65-4105(f), 65-4107(d)(2), (d)(4), (d)(5) or (f)(2) or 65-4109(c), and amendments thereto;

(3) any hallucinogenic drug designated in K.S.A. 65-4105(d), 65-4107(g) or 65-4109(g), and amendments thereto;

(4) any substance designated in K.S.A. 65-4105(g) and 65-4111(c), (d), (e), (f) or

(g), and amendments thereto;

(5) any anabolic steroids as defined in K.S.A. 65-4109(f), and amendments thereto;

(6) any substance designated in K.S.A. 65-4113, and amendments thereto; or

(7) any substance designated in K.S.A. 65-4105(h), and amendments thereto.

(c) (1) Violation of subsection (a) is a drug severity level 5 felony.

(2) Except as provided in subsection (c)(3):

(A) Violation of subsection (b) is a class A nonperson misdemeanor, except as provided in subparagraph (B); and

(B) violation of subsection (b)(1) through (b)(5) or (b)(7) is a drug severity level 5 felony if that person has a prior conviction under such subsection, under K.S.A. 65-4162, prior to its repeal, under a substantially similar offense from another jurisdiction, or under any city ordinance or county resolution for a substantially similar offense if the substance involved was 3, 4-methylenedioxymethamphetamine (MDMA), marijuana as designated in K.S.A. 65-4105(d), and amendments thereto, or any substance designated in K.S.A. 65-4105(h), and amendments thereto, or an analog thereof.

(3) If the substance involved is marijuana, as designated in K.S.A. 65-4105(d), and amendments thereto, or tetrahydrocannabinols, as designated in K.S.A. 65-4105(h), and amendments thereto, violation of subsection (b) is a:

(A) Class B nonperson misdemeanor, except as provided in subparagraphs (B) and (C);

(B) class A nonperson misdemeanor if that person has a prior conviction under such subsection, under K.S.A. 65-4162, prior to its repeal, under a substantially similar offense from another jurisdiction, or under any city ordinance or county resolution for a substantially similar offense; and

(C) drug severity level 5 felony if that person has two or more prior convictions under such subsection, under K.S.A. 65-4162, prior to its repeal, under a substantially similar offense from another jurisdiction, or under any city ordinance or county resolution for a substantially similar offense.

(d) It shall be an affirmative defense to prosecution under this section arising out of a person's possession of any ~~cannabidiol treatment preparation~~ medical marijuana, as defined in K.S.A. 2020 Supp. 65-6235, and amendments thereto, if the person:

(1) Has a debilitating medical condition, as defined in K.S.A. 2020 Supp. 65-6235, and amendments thereto, is a caregiver, as defined in K.S.A. 2020 Supp. 65-6235, and amendments thereto, for a person who has such debilitating medical condition or is the parent or guardian of a minor child who has such debilitating medical condition;

(2) is possessing ~~a cannabidiol treatment preparation, as defined in K.S.A. 2020 Supp. 65-6235, and amendments thereto~~, medical marijuana that is being used to treat such debilitating medical condition; and

(3) has possession of ~~a letter, at all times while the person has possession of the cannabidiol treatment preparation, that:~~

(A) ~~Shall be shown to a law enforcement officer on such officer's request;~~

(B) ~~is dated within the preceding 15 months and signed by the physician licensed to practice medicine and surgery in Kansas who diagnosed the debilitating medical condition;~~

(C) ~~is on such physician's letterhead; and~~

(D) ~~identifies the person or the person's minor child as such physician's patient and identifies the patient's debilitating medical condition not more than 14 grams of medical~~

marijuana or a day's supply for one person unless:

(A) Such person is in transit to the place of residence of such person with such debilitating medical condition; or

(B) such marijuana is in a secure location within the residence of such person with such debilitating medical condition or the caregiver for such person.

(e) If a law enforcement officer has reason to believe a person asserting an affirmative defense pursuant to subsection (d) has committed a misdemeanor violation of this section, such officer may issue such person a notice to appear, as defined in K.S.A. 22-2202, and amendments thereto.

(f) It shall not be a defense to charges arising under this section that the defendant was acting in an agency relationship on behalf of any other party in a transaction involving a controlled substance or controlled substance analog.

Sec. 3. K.S.A. 2020 Supp. 22-2202 is hereby amended to read as follows: 22-2202.

(a) "Appellate court" means the supreme court or court of appeals, depending on the context in which the term is used and the respective jurisdiction of those courts over appeals in criminal cases, as provided in K.S.A. 22-3601, and amendments thereto.

(b) "Appearance bond" means an agreement, with or without security, entered into by a person in custody by which the person is bound to comply with the conditions specified in the agreement.

(c) "Arraignment" means the formal act of calling the defendant before a court having jurisdiction to impose sentence for the offense charged, informing the defendant of the offense with which the defendant is charged, and asking the defendant whether the defendant is guilty or not guilty.

(d) "Arrest" means the taking of a person into custody in order that the person may be forthcoming to answer for the commission of a crime. The giving of a notice to appear is not an arrest.

(e) "Bail" means the security given for the purpose of insuring compliance with the terms of an appearance bond.

(f) "Bind over" means require a defendant to appear and answer before a district judge having jurisdiction to try the defendant for the felony with which the defendant is charged.

(g) "Charge" means a written statement presented to a court accusing a person of the commission of a crime and includes a complaint, information or indictment.

(h) "Complaint" means a written statement under oath of the essential facts constituting a crime, except that the following shall be deemed a valid complaint if it is signed by the law enforcement officer:

(1) A citation or notice to appear issued by a law enforcement officer pursuant to and in compliance with K.S.A. 8-2106, and amendments thereto; or;

(2) a citation or notice to appear issued pursuant to and in compliance with K.S.A. 32-1049, and amendments thereto, shall be deemed a valid complaint if it is signed by the law enforcement officer; or

(3) a notice to appear issued by a law enforcement officer pursuant to K.S.A. 22-2408, and amendments thereto, for a violation of K.S.A. 2020 Supp. 21-5706, and amendments thereto, when the substance involved is marijuana.

(i) "Custody" means the restraint of a person pursuant to an arrest or the order of a court or magistrate.

(j) "Detention" means the temporary restraint of a person by a law enforcement

officer.

(k) "Indictment" means a written statement, presented by a grand jury to a court, ~~which that~~ charges the commission of a crime.

(l) "Information" means a verified written statement signed by a county attorney or other authorized representative of the state of Kansas presented to a court, ~~which that~~ charges the commission of a crime. An information verified upon information and belief by the county attorney or other authorized representative of the state of Kansas shall be sufficient.

(m) "Law enforcement officer" means any person who by virtue of office or public employment is vested by law with a duty to maintain public order or to make arrests for violation of the laws of the state of Kansas or ordinances of any municipality thereof or with a duty to maintain or assert custody or supervision over persons accused or convicted of crime, and includes court services officers, community corrections officers, parole officers and directors, security personnel and keepers of correctional institutions, jails or other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority.

(n) "Magistrate" means an officer having power to issue a warrant for the arrest of a person charged with a crime and includes justices of the supreme court, judges of the court of appeals and judges of district courts.

(o) "Notice to appear" means a written request, issued by a law enforcement officer, that a person appear before a designated court at a stated time and place.

(p) "Preliminary examination" means a hearing before a magistrate on a complaint or information to determine if a felony has been committed and if there is probable cause to believe that the person charged committed it.

(q) "Prosecuting attorney" means any attorney who is authorized by law to appear for and on behalf of the state of Kansas in a criminal case, and includes the attorney general, an assistant attorney general, the county or district attorney, an assistant county or district attorney and any special prosecutor whose appearance is approved by the court. In the case of prosecution for violation of a city ordinance, also, "prosecuting attorney" means the city attorney or any assistant city attorney.

(r) "Search warrant" means a written order made by a magistrate directed to a law enforcement officer commanding the officer to search the premises described in the search warrant and to seize property described or identified in the search warrant.

(s) "Summons" means a written order issued by a magistrate directing that a person appear before a designated court at a stated time and place and answer to a charge pending against the person.

(t) "Warrant" means a written order made by a magistrate directed to any law enforcement officer commanding the officer to arrest the person named or described in the warrant.

Sec. 4. K.S.A. 2020 Supp. 65-6235 is hereby amended to read as follows: 65-6235.

(a) This section shall be known and may be cited as Claire and Lola's law.

(b) As used in this section and K.S.A. 2020 Supp. 21-5706, and amendments thereto:

(1) ~~"Cannabidiol treatment preparation" means an oil containing cannabidiol (other trade name: 2-[(3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol)) and tetrahydrocannabinol, as described in K.S.A. 65-4105, and amendments thereto, and having a tetrahydrocannabinol concentration of no more than~~

5% relative to the cannabidiol concentration in the preparation, verified through testing by a third-party, independent laboratory. "Caregiver" means a person who assists a person with a debilitating medical condition in administering medical marijuana because of physical or mental challenges associated with such condition that impair the person with such condition from caring for oneself.

(2) "~~Debitating medical condition~~" means ~~a medically diagnosed chronic disease or medical condition causing a serious impairment of strength or ability to function, including one that produces seizures~~ one of the following conditions, for which the patient is under current and active treatment by a physician ~~licensed to practice medicine and surgery in Kansas~~:

(A) A disease that has been diagnosed by a physician as likely to cause death within three years;

(B) multiple sclerosis or other severe neurologic disease that impairs motor or cognitive function;

(C) amyotrophic lateral sclerosis;

(D) progressive dementia, including Alzheimer's disease;

(E) Parkinson's disease;

(F) acquired immune deficiency syndrome;

(G) severe epilepsy, including childhood epilepsy; or

(H) a condition for which the patient is receiving medical treatment within the immediately preceding two months that negatively damages appetite and causes severe weight loss, including, but not limited to, chemotherapy and severe gastric disease.

(3) "~~Tetrahydrocannabinol concentration~~" means ~~the combined percentage of tetrahydrocannabinol and its optical isomers, their salts and acids and salts of their acids, reported as free tetrahydrocannabinol on a percent by weight basis.~~

(4) "~~Third-party, independent laboratory~~" means ~~an organization:~~

(A) ~~That is accredited to ISO/IEC 17025 of the international organization for standardization and the international electrotechnical commission by an accreditation body that is a signatory of a multilateral recognition arrangement with the international accreditation forum, international laboratory accreditation cooperation or other similar body;~~

(B) ~~whose scope of accreditation includes testing for cannabinoid potency; and~~

(C) ~~that is not affiliated with the producer of the item being tested~~ "Medical marijuana" means marijuana that is cultivated, processed, tested, dispensed, possessed or used for a medical purpose.

(4) "Physician" means an individual licensed to practice medicine and surgery in this state and who is certified by the board of healing arts to recommend treatment with medical marijuana.

(c) No agency of this state or political subdivision thereof shall initiate proceedings to remove a child from the home of the child's parent or guardian or initiate any child protection action or proceeding based solely upon the parent's or the child's possession or use of cannabidiol treatment preparation in accordance with the provisions of K.S.A. 2020 Supp. 21-5706(d), and amendments thereto.

(d) Nothing in this section shall be construed to require the Kansas medical assistance program or any individual or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical corporation contract, fraternal benefit society or health maintenance organization that provides

coverage for accident and health services and that is delivered, issued for delivery, amended or renewed on or after July 1, 2019, to provide payment or reimbursement for any cannabidiol treatment preparation.

(e) Nothing in this section shall be construed to allow the possession, sale, production, redistribution or use of any other form of cannabis.

Sec. 5. K.S.A. 2020 Supp. 21-5706, 22-2202 and 65-6235 are hereby repealed.";

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 19 and inserting "medical marijuana; creating an affirmative defense to the crime of possession of a controlled substance for medical marijuana in certain circumstances; creating the crime of false representation of medical marijuana information; amending K.S.A. 2020 Supp. 21-5706, 22-2202 and 65-6235 and repealing the existing section."

On roll call, the vote was: Yeas 37; Nays 81; Present but not voting: 0; Absent or not voting: 7.

Yeas: Bergquist, Blex, Burris, Clark, Corbet, Croft, Donohoe, Ellis, Esau, Estes, French, Helgerson, Helmer, Highland, Howe, Huebert, Humphries, Jacobs, Landwehr, Lee-Hahn, Mason, Minnix, Moser, Murphy, Newland, Orr, Owens, Penn, Proctor, Resman, Rhiley, Seiwert, Smith, A., Smith, E., Turner, Waggoner, Wasinger.

Nays: Alcala, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clayton, Coleman, Collins, Concannon, Curtis, Day, Delperdang, Dodson, M., Eplee, Fairchild, Featherston, Finch, Finney, Francis, Garber, Gartner, Haswood, Hawkins, Henderson, Highberger, Hoheisel, Houser, Hoye, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Long, Lynn, Miller, Neelly, Neighbor, Ohaebosim, Ousley, Parker, F. Patton, Poetter, Poskin, Probst, Proehl, Rahjes, Ralph, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Smith, C., Stogsdill, Sutton, Thomas, Thompson, Vaughn, Victors, Waymaster, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Awerkamp, Hoffman, Howard, Jennings, Tarwater, Toplikar, K. Williams.

The motion of Rep. E. Smith to amend did not prevail.

Also, on further motion of Rep. E. Smith to amend **H Sub SB 158**, the motion was withdrawn.

Also, on motion of Rep. B. Carpenter, **H Sub SB 158** be amended as amended by House Committee, on page 1, in line 22, by striking "47" and inserting "46";

On page 3, in line 5, by striking "31" and inserting "30";

On page 4, in line 16, by striking "committee" and inserting "committee"; in line 20, by striking "30" and inserting "29";

On page 27, in line 2, by striking "45" and inserting "44"; in line 8, by striking "45" and inserting "44";

On page 31, in line 20, by striking "43" and inserting "42"; in line 33, by striking "42" and inserting "41";

On page 32, in line 27, by striking "31" and inserting "30"; in line 43, by striking "31" and inserting "30";

On page 33, by striking all in lines 8 through 43;

On page 34, by striking all in lines 1 through 12; in line 16, by striking "(f)" and inserting "(g)"; in line 26, by striking "38" and inserting "37";

On page 35, in line 8, after "(d)" by inserting "(1) Each associated, key and support employee of a licensed retail dispensary shall submit an application for an employee license for such employee in such form and manner as prescribed by the director. A separate license application shall be submitted for each employee. The director shall issue a license to an applicant if all of the following conditions are met:

(A) The criminal history record check conducted pursuant to section 42, and amendments thereto, with respect to the applicant demonstrates that the applicant is not disqualified from holding a license pursuant to section 20, and amendments thereto; and

(B) the applicant meets all other licensure eligibility conditions established in rules and regulations adopted by the secretary of revenue and has paid all required fees.

(2) A license shall be valid for a period of two years from the date such license is issued and may be renewed by submitting a license renewal application and paying the required fee.

(e)";

Also on page 35, in line 9, by striking "39" and inserting "38";

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

Also on page 35, in line 28, by striking "32" and inserting "31"; in line 41, by striking "31" and inserting "30";

On page 38, in line 36, by striking the comma and inserting "and"; also in line 36, by striking "and"; in line 37, by striking all before the semicolon;

On page 45, in line 24, after "employment" by inserting a period; in line 36, by striking "30" and inserting "29";

On page 49, in line 42, by striking "83" and inserting "82";

On page 51, in line 17, by striking "31" and inserting "30";

On page 52, in line 24, by striking "30" and inserting "29";

On page 53, in line 10, by striking "83" and inserting "82"; in line 40, by striking "83" and inserting "82";

On page 54, in line 18, by striking "83" and inserting "82";

On page 57, in line 9, by striking "83" and inserting "82"; in line 33, by striking "83" and inserting "82"; also in line 33, by striking "30" and inserting "29"; in line 34, by striking "30" and inserting "29"; in line 38, by striking "(f)" and inserting "(g)";

On page 58, in line 6, by striking "38" and inserting "37"; in line 33, after "(d)" by inserting "(1) Each associated, key and support employee of a licensed retail dispensary shall submit an application for an employee license for such employee in such form and manner as prescribed by the director. A separate license application shall be submitted for each employee. The director shall issue a license to an applicant if all of the following conditions are met:

(A) The criminal history record check conducted pursuant to section 42, and amendments thereto, with respect to the applicant demonstrates that the applicant is not disqualified from holding a license pursuant to section 20, and amendments thereto; and

(B) the applicant meets all other licensure eligibility conditions established in rules and regulations adopted by the secretary of revenue and has paid all required fees.

(2) A license shall be valid for a period of two years from the date such license is

issued and may be renewed by submitting a license renewal application and paying the required fee.

(e)";

Also on page 58, in line 35, by striking "39" and inserting "38";

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

On page 59, in line 5, by striking "83" and inserting "82"; also in line 5, by striking "39" and inserting "38"; in line 6, by striking "39" and inserting "38";

On page 63, in line 17, by striking "30" and inserting "29";

On page 67, in line 38, by striking "30" and inserting "29";

On page 70, in line 20, by striking "83" and inserting "82"; in line 21, by striking "67" and inserting "66";

On page 105, in line 42, by striking "83" and inserting "82";

On page 117, in line 1, by striking "83" and inserting "82";

On page 121, in line 42, by striking "30" and inserting "29"; also in line 42, by striking "39" and inserting "38";

And by renumbering sections accordingly;

On page 1, in the title, in line 16, by striking "67" and inserting "66"; in line 18, by striking "30" and inserting "29"; also in line 18, by striking "39" and inserting "38"

Also, on further motion of Rep. B. Carpenter, **H Sub SB 158** be amended as amended by House Committee, on page 11, in line 29, by striking all after "violation"; in line 30, by striking "section" and inserting "of this act"; and **H Sub SB 158** be passed as amended.

## INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hawkins, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 29**.

## CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 29** submits the following report:

Your committee on conference agrees to disagree and recommends that a new conference committee be appointed.

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

STEVEN JOHNSON

CHRIS CROFT

*Conferees on part of House*

JEFF LONGBINE

VIRGIL PECK

*Conferees on part of Senate*

On motion of Rep. S. Johnson the conference committee report on **SB 29** to agree to disagree, was adopted.

Speaker pro tem Finch thereupon appointed Reps. S. Johnson, Croft and Neighbor as second conferees on the part of the House.

**MESSAGES FROM THE SENATE**

The Senate announced the appointment of Senators Warren, Wilborn, and Haley to replace Senators Kerschen, Straub, and Ware as conferees on **SB 160**.

The Senate announced the appointment of Senators Alley, Claeys, and Holland to replace Senators Warren, Wilborn, and Corson as conferees on **SB 58**.

The Senate announced the appointment of Senators Warren, Baumgardner, and Haley to replace Senators Tyson, Alley, and Holland on **HB 2106**.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Hawkins pursuant to House Rule 2311, **HB 2056** and **H Sub SB 158** were advanced to Final Action on Bills and Concurrent Resolutions.

**FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**H Sub SB 158**, AN ACT concerning health and healthcare; enacting the Kansas medical marijuana regulation act; relating to medical cannabis; licensure and regulation of the manufacture, transportation and sale of medical cannabis; crimes, punishment and criminal procedure; creating the crimes of unlawful transport and unlawful storage of medical marijuana; exceptions from the unlawful manufacture and possession of a controlled substance; prescribing powers, duties and functions of the secretary of health and environment, secretary of revenue, board of healing arts and board of pharmacy; rules and regulations; providing certain fines and penalties for violations; establishing the medical marijuana registration fund and the medical marijuana business entity regulation fund; allowing counties to prohibit retail dispensaries; amending K.S.A. 65-28b08, 65-4107, 79-5201 and 79-5210 and K.S.A. 2020 Supp. 19-101a, 21-5703, 21-5705, 21-5706, 21-5706, as amended by section 67 of this act, 21-5707, 21-5709, 21-5710, 23-3201, 38-2269, 44-501, 44-706, 65-1120 and 65-4105 and sections 2, 3, 4, 17, 18, 30 and 39 of this act, and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 79; Nays 42; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcala, Amyx, Anderson, Baker, Ballard, Barker, Bergkamp, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Curtis, Day, Delperdang, Dodson, M., Eplee, Fairchild, Featherston, Finney, Garber, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Hoheisel, Houser, Hoye, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Long, Lynn, Miller, Murphy, Neely, Neighbor, Newland, Ohaebosim, Ousley, Parker, Poetter, Poskin, Probst, Proehl, Resman, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Stogsdill, Sutton, Thomas, Thompson, Vaughn, Victors, Waymaster, Weigel, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Arnberger, Bergquist, Blex, Burris, Corbet, Croft, Donohoe, Ellis, Esau, Estes, Finch, Francis, French, Helmer, Highland, Hoffman, Howe, Humphries, Jacobs, Jennings, Landwehr, Lee-Hahn, Mason, Minnix, Moser, Orr, Owens, F. Patton, Penn, Proctor, Rahjes, Ralph, Rhiley, Smith, A., Smith, C., Smith, E., Tarwater, Toplikar, Turner, Waggoner, Wasinger, Wheeler.

Present but not voting: None.

Absent or not voting: Awerkamp, Howard, Huebert, Samsel.

The substitute bill passed, as amended.

#### EXPLANATIONS OF VOTE

Mr. Speaker: We vote no on H Sub for SB 158. Marijuana is listed as a Schedule One drug by the U.S. Drug Enforcement Administration and is therefore illegal to possess, sell, and manufacture.

There's reason to believe that Marijuana has medical benefits. However, as with other drugs, benefits can only be determined by rigorous testing by the FDA to determine what maladies for which it's medically beneficial and those maladies for which it's not beneficial and what are the side effects, both dangerous and tolerable. In addition, Medical Marijuana should be prescribed only by a licensed medical doctor and dispensed only by a licensed pharmacist. Until that is possible, and until Medical Marijuana is de-scheduled, we vote no. – SUSAN HUMPHRIES, JOHN WHEELER, JR., J. RUSSELL JENNINGS, BARBARA WASINGER, RONALD HIGHLAND, BILL RHILEY, LISA MOSER, BRENDA LANDWEHR

MR. SPEAKER: I have deep compassion for those Kansans who suffer from conditions that might be positively affected by marijuana use. Today we rejected a viable alternative that would have allowed us to help those Kansans get the relief they need.

This bill does much more than help those Kansans get relief. It creates the infrastructure for recreational marijuana. That's why this bill – rather than the alternative amendment we heard today – is backed by the marijuana industry. I have seen first-hand the tragic impacts of legalization in Colorado and I will not be a party to visiting that disaster on Kansas. For that reason, I vote no on **House Sub for SB 158**. – PAT PROCTOR, RON ELLIS, TREVOR JACOBS, CHARLOTTE ESAU

MR. SPEAKER: As a Representative, I have fought for expanded Substance Use Treatment. As a matter of fact, this body just voted unanimously to expand those treatment options just yesterday. So today, I choose our children. Where does addiction begin? What does it look like? Where does it lead? For one man, Chris Herron a former NBA player who I had the pleasure to meet last Tuesday, it started with alcohol and marijuana and ended in a Heroin addiction and four near-death experiences. Many don't make it like he did. I believe our first obligation is to our children, to our future. I do NOT believe this will lead to a better Kansas! I vote No on **H Sub for SB 158**. – STEPHEN OWENS

MR. SPEAKER: **House Sub for SB 158** is a defeat for Kansas. It is a defeat for science, for taxpayers, for Kansas families and for the Republican party. We could have had a bill that was genuinely cautious, genuinely compassionate, scientific and genuinely conservative in intent and effect. Instead we have done the bidding of the marijuana industry and their lobbyists. God bless the Kansas Senate when they kill this monstrosity. – PAUL WAGGONER

MR. SPEAKER: I am voting no on **H Sub SB 158** as I will continue to vote against the introduction of marijuana into our state. The marijuana carrot is so enticing with promises of endless money for the state and increased health for its citizens. But, the

stick that comes with it will destroy all those gains as well as our state. It may eventually come to Kansas but not with my vote. — DAVID W. FRENCH, CHARLES E. SMITH

MR. SPEAKER: I vote no on **House Sub for SB 158**. I believe in Liberty. I believe in the right of people making decisions for their own health. However, if this bill truly had medical intent with stringent regulation, I would have voted for it. Unfortunately, we rejected multiple amendments that would have given regulation. This revealed the actual intent of the sponsors of this legislation which is to set up the framework for recreational drug use. — TATUM LEE-HAHN

MR. SPEAKER: With growing scientific research relating to medical cannabis and its therapeutic benefits to individuals with chronic illnesses, I vote affirmative for Kansans that suffer without adequate or safe pharmaceutical alternatives such as highly addictive opioids. Legislative safeguards include requiring a six-month doctor-patient relationship, regulations through the Board of Healing Arts, controlled and approved advertising, and prescription monitoring through current KTRAC System. Though I cannot support legalization of recreational marijuana — I must support solutions that improve the quality of life for those suffering from debilitating illnesses. For these reasons, Mr. Speaker, I vote in favor of **H Sub for SB 158**. — KRISTEY WILLIAMS

**HB 2056**, AN ACT concerning food products; relating to the Kansas food, drug and cosmetic act; regulating the sale and distribution of kratom products; amending K.S.A. 65-656 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 97; Nays 24; Present but not voting: 0; Absent or not voting: 4.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Henderson, Highberger, Hoffman, Hoheisel, Houser, Hoyer, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kuether, Landwehr, Long, Lynn, Miller, Minnix, Moser, Neelly, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poskin, Probst, Proehl, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, C., Smith, E., Stogsdill, Thompson, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Blex, Burris, Collins, Fairchild, Finch, Garber, Helmer, Highland, Howe, Jacobs, Kessler, Lee-Hahn, Mason, Murphy, Poetter, Proctor, Rajhes, Rhiley, Smith, A., Sutton, Tarwater, Thomas, Toplikar, Turner.

Present but not voting: None.

Absent or not voting: Awerkamp, Howard, Huebert, Samsel.

The bill passed.

**REPORT ON ENGROSSED BILLS**

**HB 2026, HB 2187** reported correctly engrossed May 5, 2021.

**HB 2077** reported correctly re-engrossed May 5, 2021.

**HB 2079, HB 2121** reported correctly re-engrossed May 6, 2021.

**REPORT ON ENROLLED RESOLUTIONS**

**HR 6014, HR 6016** reported correctly enrolled and properly signed on May 6, 2021.

On motion of Rep. Hawkins, the House adjourned until 10:00 a.m., Friday, May 7, 2021.

# Journal of the House

## SIXTY-FOURTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Friday, May 7, 2021, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 120 members present.

Rep. Howard was excused on verified illness.

Reps. Averkamp, Garber, Newland and Victors were excused on excused absence by the Speaker.

Present later: Rep. Garber.

Excused later: Reps. Baker, Blex, Finney, Garber, Helgerson, Huebert, Orr, Rhiley, Samsel and Thompson.

Prayer by Chaplain Brubaker:

Gracious Loving Father,  
Thank You for your faithfulness once again  
for another session.  
For those days when the energy of our leaders seemed depleted,  
You provided Your life-giving spirit.  
When the heat of debate and discussion increased,  
You delivered calm and cool heads to prevail.  
When there was uncertainty and hopelessness,  
You gave hope and promise.  
When there seemed to be no good solutions,  
You afforded them Your wisdom and guidance.  
When they became weary,  
You bestowed strength.  
In these last few hours or days,  
I ask that You continue to show Your faithfulness,  
extend your spirit and renewal,  
and provide Your peace, presence, and provision.  
In Christ's Name I pray, Amen.

The Pledge of Allegiance was led by Rep. Eplee.

### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report to agree to disagree on **SB 29**, and has appointed Senators Longbine, Peck and Holscher as Second conferees on the part of the Senate.

The Senate accedes to the request of the House for a conference on **HB 2313** and has appointed Senators Tyson, Alley and Holland as conferees on the part of the Senate.

The Senate announced the appointment of Senator Tyson and Alley to replace Senators Alley and Claeys as conferees on **SB 58**.

#### REPORT OF STANDING COMMITTEE

Your Committee on Calendar and Printing recommends on requests for resolutions and certificates that

**Request No. 39**, by Representative Aaron Coleman, congratulating Micah King on being the House District 37 community advocate of 2021.

**Request No. 40**, by Representative Brandon Woodard, commending Erica Mercado Loya on her historic participation in the Miss Southwest Kansas 2021 pageant.

**Request No. 41**, by Representative Jim Minnix, congratulating Sawyer Stevens of Scott City, Kansas on his 2021 appointment to United States Naval Academy at Annapolis.

**Request No. 42**, by Representative Kyle Hoffman, honoring Martha Hadsall on her many years of service to Harper County and the Anthony Hospital Board.

**Request No. 43**, by Representative KC Ohaebosim, honoring the memory of Sir Godwin C. Onyewuenyi, may his kind and gentle soul rest in peace.

**Request No. 44**, by Representative Broderick Henderson, congratulating Sway Jenkins, First Baptist Church Quindaro, 2021 High School Graduate, Jenkins Academy High School.

**Request No. 45**, by Representative KC Ohaebosim, congratulating Ikenna and Justine Ogbuuro, on their recent marriage.

**Request No. 46**, by Representative Broderick Henderson, congratulating Zelma Seals, First Baptist Church Quindaro, 2021 High School Graduate, F.L. Schlagle High School.

**Request No. 47**, by Representative Trevor Jacobs, congratulating Kyle Parks, recognizing for selfless hard work, dedication and leadership in Fort Scott.

**Request No. 48**, by Representative Jim Kelly, honoring the memory of Charles Alva "C.A." McKinney, Assistant Chief of Police, Independence Police Department, killed in the line of duty, March 21, 1920.

**Request No. 49**, by Representative Trevor Jacobs, congratulating RoAnn Blake, recognizing for selfless hard work, dedication and leadership in Fort Scott.

be approved and the Chief Clerk of the House be directed to order the printing of said certificates and order drafting of said resolutions.

On motion of Rep. Hawkins, the committee report was adopted.

On motion of Rep. Hawkins, the House recessed until 11:00 a.m.

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#### LATE MORNING SESSION

The House met pursuant to recess with Speaker pro tem Finch in the chair.

**MESSAGE FROM THE SENATE**

The Senate nonconcurrs in House amendments to **SB 91**, requests a conference and has appointed Senators Olson, Steffen and Holland as conferees on the part of the Senate.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Hawkins, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 91**, **SB 78**.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **SB 91**.

Speaker pro tem Finch thereupon appointed Reps. Tarwater, Long and Clayton as conferees on the part of the House.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 78** 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 as House Substitute for Senate Bill No. 78, as follows:

On page 52, following line 27, by inserting:

"Sec. 5. K.S.A. 2020 Supp. 40-2c01 is hereby amended to read as follows: 40-2c01. As used in this act:

(a) "Adjusted RBC report" means an RBC report that has been adjusted by the commissioner in accordance with K.S.A. 40-2c04, and amendments thereto.

(b) "Corrective order" means an order issued by the commissioner specifying corrective actions that the commissioner has determined are required to address an RBC level event.

(c) "Domestic insurer" means any insurance company or risk retention group that is licensed and organized in this state.

(d) "Foreign insurer" means any insurance company or risk retention group not domiciled in this state that is licensed or registered to do business in this state pursuant to article 41 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or K.S.A. 40-209, and amendments thereto.

(e) "NAIC" means the national association of insurance commissioners.

(f) "Life and health insurer" means any insurance company licensed under article 4 or 5 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or a licensed property and casualty insurer writing only accident and health insurance.

(g) "Property and casualty insurer" means any insurance company licensed under articles 9, 10, 11, 12, 12a, 15 or 16 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, but shall not include monoline mortgage guaranty insurers, financial guaranty insurers and title insurers.

(h) "Negative trend" means, with respect to a life and health insurer, a negative trend over a period of time, as determined in accordance with the "trend test

calculation" included in the RBC instructions defined in subsection (j).

(i) "RBC" means risk-based capital.

(j) "RBC instructions" means the risk-based capital instructions promulgated by the NAIC that are in effect on December 31, ~~2019~~, 2020, or any later version promulgated by the NAIC as may be adopted by the commissioner under K.S.A. 2020 Supp. 40-2c29, and amendments thereto.

(k) "RBC level" means an insurer's company action level RBC, regulatory action level RBC, authorized control level RBC, or mandatory control level RBC where:

(1) "Company action level RBC" means, with respect to any insurer, the product of 2.0 and its authorized control level RBC;

(2) "regulatory action level RBC" means the product of 1.5 and its authorized control level RBC;

(3) "authorized control level RBC" means the number determined under the risk-based capital formula in accordance with the RBC instructions; and

(4) "mandatory control level RBC" means the product of 0.70 and the authorized control level RBC.

(l) "RBC plan" means a comprehensive financial plan containing the elements specified in K.S.A. 40-2c06, and amendments thereto. If the commissioner rejects the RBC plan, and it is revised by the insurer, with or without the commissioner's recommendation, the plan shall be called the "revised RBC plan."

(m) "RBC report" means the report required by K.S.A. 40-2c02, and amendments thereto.

(n) "Total adjusted capital" means the sum of:

(1) An insurer's capital and surplus or surplus only if a mutual insurer; and

(2) such other items, if any, as the RBC instructions may provide.

(o) "Commissioner" means the commissioner of insurance.;"

On page 68, following line 15, by inserting:

"Sec. 13. K.S.A. 2020 Supp. 40-3402 is hereby amended to read as follows: 40-3402. (a) Prior to January 1, 2022, a policy of professional liability insurance approved by the commissioner and issued by an insurer duly authorized to transact business in this state in which the limit of the insurer's liability is not less than \$200,000 per claim, subject to not less than a \$600,000 annual aggregate for all claims made during the policy period, shall be maintained in effect by each resident healthcare provider as a condition of active licensure or other statutory authorization to render professional service as a healthcare provider in this state, unless such healthcare provider is a self-insurer. For all new policies and policies that renew on and after January 1, 2022, a policy of professional liability insurance approved by the commissioner and issued by an insurer duly authorized to transact business in this state in which the limit of the insurer's liability is not less than \$500,000 per claim, subject to not less than a \$1,500,000 annual aggregate for all claims made during the policy period, shall be maintained by each resident healthcare provider as a condition of active licensure or other statutory authorization to render professional service as a healthcare provider in this state, unless such healthcare provider is a self-insurer. This provision shall not apply to optometrists and pharmacists ~~on or after~~ and after July 1, 1991 ~~nor~~, to physical therapists on and after July 1, 1995 ~~nor~~, or to health maintenance organizations ~~on or after~~ and after July 1, 1997. Such policy shall provide as a minimum coverage for claims made during the term of the policy ~~which that~~ were incurred during the term of such

policy or during the prior term of a similar policy. Any insurer offering such policy of professional liability insurance to any healthcare provider may offer to such healthcare provider a policy as prescribed in this section with deductible options. Such deductible shall be within such policy limits.

(1) Each insurer providing basic coverage shall, within 30 days after the effective date of any policy issued in accordance with this subsection, notify the board of governors that such coverage is or will be in effect. Such notification shall be on a form approved by the board of governors and shall include information identifying the professional liability policy issued or to be issued, the name and address of all healthcare providers covered by the policy, the amount of the annual premium, the effective and expiration dates of the coverage and such other information as the board of governors shall require. A copy of the notice required by this subsection shall be furnished to the named insured.

(2) In the event of termination of basic coverage by cancellation, nonrenewal, expiration or otherwise by either the insurer or named insured, notice of such termination shall be furnished by the insurer to the board of governors, the state agency which licenses, registers or certifies the named insured and the named insured. Such notice shall be provided no less than 30 days prior to the effective date of any termination initiated by the insurer or within 10 business days after the date coverage is terminated at the request of the named insured and shall include the name and address of the healthcare provider or providers for whom basic coverage is terminated and the date basic coverage will cease to be in effect. No basic coverage shall be terminated by cancellation or failure to renew by the insurer unless such insurer provides a notice of termination as required by this subsection.

(3) Any professional liability insurance policy issued, delivered or in effect in this state on and after July 1, 1976, shall contain or be endorsed to provide basic coverage as required by subsection (a) ~~of this section~~. Notwithstanding any omitted or inconsistent language, any contract of professional liability insurance shall be construed to obligate the insurer to meet all the mandatory requirements and obligations of this act. The liability of an insurer for claims made prior to July 1, 1984, shall not exceed those limits of insurance provided by such policy prior to July 1, 1984.

(b) A nonresident healthcare provider shall not be licensed to actively render professional service as a healthcare provider in this state unless such healthcare provider maintains continuous coverage in effect as prescribed by subsection (a), except such coverage may be provided by a nonadmitted insurer who has filed the form required by subsection (b)(1). This provision shall not apply to optometrists and pharmacists ~~on or after~~ and after July 1, 1991 ~~nor, or~~ to physical therapists on and after July 1, 1995.

(1) Every insurance company authorized to transact business in this state, that is authorized to issue professional liability insurance in any jurisdiction, shall file with the commissioner, as a condition of its continued transaction of business within this state, a form prescribed by the commissioner declaring that its professional liability insurance policies, wherever issued, shall be deemed to provide at least the insurance required by this subsection when the insured is rendering professional services as a nonresident healthcare provider in this state. Any nonadmitted insurer may file such a form.

(2) Every nonresident healthcare provider ~~who that~~ is required to maintain basic coverage pursuant to this subsection shall pay the surcharge levied by the board of

governors pursuant to ~~subsection (a)~~ of K.S.A. 40-3404(a), and amendments thereto, directly to the board of governors and shall furnish to the board of governors the information required in subsection (a)(1).

(c) Every healthcare provider that is a self-insurer, the university of Kansas medical center for persons engaged in residency training, as described in ~~subsection (r)(1)~~ of K.S.A. 40-3401(r)(1), and amendments thereto, the employers of persons engaged in residency training, as described in ~~subsection (r)(2)~~ of K.S.A. 40-3401(r)(2), and amendments thereto, the private practice corporations or foundations and their full-time physician faculty employed by the university of Kansas medical center or a medical care facility or mental health center for self-insurers under ~~subsection (e)~~ of K.S.A. 40-3414(e), and amendments thereto, shall pay the surcharge levied by the board of governors pursuant to ~~subsection (a)~~ of K.S.A. 40-3404(a), and amendments thereto, directly to the board of governors and shall furnish to the board of governors the information required in ~~subsection (a)(1) and (a)(2)~~ subsections (a)(1) and (a)(2).

(d) In lieu of a claims made policy otherwise required under this section, a person engaged in residency training who is providing services as a healthcare provider but, while providing such services, is not covered by the self-insurance provisions of ~~subsection (d)~~ of K.S.A. 40-3414(d), and amendments thereto, may obtain basic coverage under an occurrence form policy, if such policy provides professional liability insurance coverage and limits ~~which that~~ are substantially the same as the professional liability insurance coverage and limits required by ~~subsection (a)~~ of K.S.A. 40-3402(a), and amendments thereto. Where such occurrence form policy is in effect, the provisions of the healthcare provider insurance availability act referring to claims made policies shall be construed to mean occurrence form policies.

(e) In lieu of a claims made policy otherwise required under this section, a nonresident healthcare provider employed pursuant to a locum tenens contract to provide services in this state as a healthcare provider may obtain basic coverage under an occurrence form policy, if such policy provides professional liability insurance coverage and limits ~~which that~~ are substantially the same as the professional liability insurance coverage and limits required by K.S.A. 40-3402, and amendments thereto. Where such occurrence form policy is in effect, the provisions of the healthcare provider insurance availability act referring to claims made policies shall be construed to mean occurrence form policies.

Sec. 14. K.S.A. 2020 Supp. 40-3403 is hereby amended to read as follows: 40-3403. (a) For the purpose of paying damages for personal injury or death arising out of the rendering of or the failure to render professional services by a healthcare provider, self-insurer or inactive health care provider subsequent to the time that such healthcare provider or self-insurer has qualified for coverage under the provisions of this act, there is hereby established the healthcare stabilization fund. The fund shall be held in trust in the state treasury and accounted for separately from other state funds. The board of governors shall administer the fund or contract for the administration of the fund with an insurance company authorized to do business in this state.

(b) (1) There is hereby created a board of governors that shall be composed of such members and shall have such powers, duties and functions as are prescribed by this act. The board of governors shall:

(A) Administer the fund and exercise and perform other powers, duties and functions required of the board under the healthcare provider insurance availability act;

(B) provide advice, information and testimony to the appropriate licensing or disciplinary authority regarding the qualifications of a healthcare provider;

(C) prepare and publish, on or before October 1 of each year, a report for submission to the healthcare stabilization fund oversight committee that includes a summary of the fund's activity during the preceding fiscal year, including, but not limited to, the amount collected from surcharges, the highest and lowest surcharges assessed, the amount paid from the fund, the number of judgments paid from the fund, the number of settlements paid from the fund and the fund balance at the end of the fiscal year; and

(D) have the authority to grant temporary exemptions from the provisions of K.S.A. 40-3402 and 40-3404, and amendments thereto, to healthcare providers who have exceptional circumstances and verify in writing that the healthcare provider will not render professional services in this state during the period of exemption. Whenever the board grants such an exemption, the board shall notify the state agency that licenses the exempted healthcare provider.

(2) The board shall consist of 11 persons appointed by the commissioner of insurance, as provided by this subsection and as follows:

(A) ~~Three members who are on a list of nominees submitted to the commissioner by the Kansas medical society, at least two of whom are doctors of medicine who are licensed to practice medicine and surgery in Kansas who are doctors of medicine and who are on a list of nominees submitted to the commissioner by the Kansas medical society;~~

(B) ~~three members who are on a list of nominees submitted to the commissioner by the Kansas hospital association and who are representatives of Kansas hospitals and who are on a list of nominees submitted to the commissioner by the Kansas hospital association;~~

(C) ~~two members who are on a list of nominees submitted to the commissioner by the Kansas association of osteopathic medicine, who are licensed to practice medicine and surgery in Kansas and who are doctors of osteopathic medicine and who are on a list of nominees submitted to the commissioner by the Kansas association of osteopathic medicine;~~

(D) ~~one member who is on a list of nominees submitted to the commissioner by the Kansas chiropractic association and who is licensed to practice chiropractic in Kansas and who is on a list of nominees submitted to the commissioner by the Kansas chiropractic association;~~

(E) ~~one member who is on a list of nominees submitted to the commissioner by the Kansas association of nurse anesthetists and who is a licensed professional nurse authorized to practice as a registered nurse anesthetist who is on a list of nominees submitted to the commissioner by the Kansas association of nurse anesthetists; and~~

(F) ~~one member who is on a list of nominees submitted to the commissioner by statewide associations comprised of members who represent adult care homes and who is a representative of adult care homes who is on a list of nominees submitted to the commissioner by statewide associations comprised of members who represent adult care homes.~~

(3) When a vacancy occurs in the membership of the board of governors created by this act, the commissioner shall appoint a successor of like qualifications from a list of three nominees submitted to the commissioner by the professional society or association

prescribed by this section for the category of healthcare provider required for the vacant position on the board of governors. All appointments made shall be for a term of office of four years, but no member shall be appointed for more than two successive four-year terms. Each member shall serve until a successor is appointed and qualified. Whenever a vacancy occurs in the membership of the board of governors created by this act for any reason other than the expiration of a member's term of office, the commissioner shall appoint a successor of like qualifications to fill the unexpired term. In each case of a vacancy occurring in the membership of the board of governors, the commissioner shall notify the professional society or association that represents the category of healthcare provider required for the vacant position and request a list of three nominations of healthcare providers from which to make the appointment.

(4) The board of governors shall organize in July of each year and shall elect a chairperson and vice-chairperson from among its membership. Meetings shall be called by the chairperson or by a written notice signed by three members of the board.

(5) The board of governors, in addition to other duties imposed by this act, shall study and evaluate the operation of the fund and make such recommendations to the legislature as may be appropriate to ensure the viability of the fund.

(6) (A) The board shall appoint an executive director who shall be in the unclassified service under the Kansas civil service act and may employ attorneys and other employees who shall also be in the unclassified service under the Kansas civil service act. Such executive director, attorneys and other employees shall receive compensation fixed by the board, in accordance with appropriation acts of the legislature, not subject to approval of the governor.

(B) The board may provide all office space, services, equipment, materials and supplies, and all budgeting, personnel, purchasing and related management functions required by the board in the exercise of the powers, duties and functions imposed or authorized by the healthcare provider insurance availability act or may enter into a contract with the commissioner of insurance for the provision, by the commissioner, of all or any part thereof.

(7) The commissioner shall:

(A) Provide technical and administrative assistance to the board of governors with respect to administration of the fund upon request of the board; and

(B) provide such expertise as the board may reasonably request with respect to evaluation of claims or potential claims.

(c) Except as otherwise provided by any other provision of this act, the fund shall be liable to pay:

(1) Any amount due from a judgment or settlement that is in excess of the basic coverage liability of all liable resident healthcare providers or resident self-insurers for any personal injury or death arising out of the rendering of or the failure to render professional services within or without this state;

(2) subject to the provisions of ~~subsections (f) and (m)~~ subsection (f), any amount due from a judgment or settlement that is in excess of the basic coverage liability of all liable nonresident healthcare providers or nonresident self-insurers for any such injury or death arising out of the rendering or the failure to render professional services within this state but in no event shall the fund be obligated for claims against nonresident healthcare providers or nonresident self-insurers who have not complied with this act or for claims against nonresident healthcare providers or nonresident self-insurers that

arose outside of this state;

(3) subject to the provisions of ~~subsections~~ subsection (f) and (m), any amount due from a judgment or settlement against a resident inactive healthcare provider for any such injury or death arising out of the rendering of or failure to render professional services;

(4) subject to the provisions of ~~subsections~~ subsection (f) and (m), any amount due from a judgment or settlement against a nonresident inactive healthcare provider for any injury or death arising out of the rendering or failure to render professional services within this state, but in no event shall the fund be obligated for claims against nonresident inactive healthcare providers:

(A) ~~Nonresident inactive healthcare providers~~ Who have not complied with this act; or

(B) ~~nonresident inactive healthcare providers~~ for claims that arose outside of this state, unless such healthcare provider was a resident healthcare provider or resident self-insurer at the time such act occurred;

(5) subject to K.S.A. 40-3411(b), and amendments thereto, reasonable and necessary expenses for attorney fees, depositions, expert witnesses and other costs incurred in defending the fund against claims, and such expenditures shall not be subject to the provisions of K.S.A. 75-3738 through 75-3744, and amendments thereto;

(6) any amounts expended for reinsurance obtained to protect the best interests of the fund purchased by the board of governors, which purchase shall be subject to the provisions of K.S.A. 75-3738 through 75-3744, and amendments thereto, but shall not be subject to the provisions of K.S.A. 75-4101, and amendments thereto;

(7) reasonable and necessary actuarial expenses incurred in administering the act, including expenses for any actuarial studies contracted for by the legislative coordinating council, and such expenditures shall not be subject to the provisions of K.S.A. 75-3738 through 75-3744, and amendments thereto;

(8) periodically to the plan or plans, any amount due pursuant to K.S.A. 40-3413(a) (3), and amendments thereto;

(9) reasonable and necessary expenses incurred by the board of governors in the administration of the fund or in the performance of other powers, duties or functions of the board under the healthcare provider insurance availability act;

(10) surcharge refunds payable when the notice of cancellation requirements of K.S.A. 40-3402, and amendments thereto, are met;

(11) subject to K.S.A. 40-3411(b), and amendments thereto, reasonable and necessary expenses for attorney fees and other costs incurred in defending a person engaged or who was engaged in residency training or the private practice corporations or foundations and their full-time physician faculty employed by the university of Kansas medical center or any nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine from claims for personal injury or death arising out of the rendering of or the failure to render professional services by such healthcare provider;

(12) ~~notwithstanding the provisions of subsection (m)~~, any amount due from a judgment or settlement for an injury or death arising out of the rendering of or failure to render professional services by a person engaged or who was engaged in residency training or the private practice corporations or foundations and their full-time physician

faculty employed by the university of Kansas medical center or any nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine;

(13) subject to the provisions of K.S.A. 65-429, and amendments thereto, reasonable and necessary expenses for the development and promotion of risk management education programs and for the medical care facility licensure and risk management survey functions carried out under K.S.A. 65-429, and amendments thereto;

(14) ~~notwithstanding the provisions of subsection (m),~~ any amount, but not less than the required basic coverage limits, owed pursuant to a judgment or settlement for any injury or death arising out of the rendering of or failure to render professional services by a person, other than a person described in paragraph (12), who was engaged in a postgraduate program of residency training approved by the state board of healing arts but who, at the time the claim was made, was no longer engaged in such residency program;

(15) subject to K.S.A. 40-3411(b), and amendments thereto, reasonable and necessary expenses for attorney fees and other costs incurred in defending a person described in paragraph (14);

(16) expenses incurred by the commissioner in the performance of duties and functions imposed upon the commissioner by the healthcare provider insurance availability act, and expenses incurred by the commissioner in the performance of duties and functions under contracts entered into between the board and the commissioner as authorized by this section; and

(17) periodically to the state general fund reimbursements of amounts paid to members of the healthcare stabilization fund oversight committee for compensation, travel expenses and subsistence expenses pursuant to K.S.A. 40-3403b(e), and amendments thereto.

(d) All amounts for which the fund is liable pursuant to subsection (c) shall be paid promptly and in full except that, if the amount for which the fund is liable is ~~\$300,000~~ \$500,000 or more, it shall be paid by installment payments of ~~\$300,000~~ \$500,000 or 10% of the amount of the judgment including interest thereon, whichever is greater, per fiscal year, the first installment to be paid within 60 days after the fund becomes liable and each subsequent installment to be paid annually on the same date of the year the first installment was paid, until the claim has been paid in full.

(e) In no event shall the fund be liable to pay in excess of \$3,000,000 pursuant to any one judgment or settlement against any one healthcare provider relating to any injury or death arising out of the rendering of or the failure to render professional services on and after July 1, 1984, and before July 1, 1989, subject to an aggregate limitation for all judgments or settlements arising from all claims made in any one fiscal year in the amount of \$6,000,000 for each healthcare provider.

(f) In no event shall the fund be liable to pay in excess of the amounts specified in the option selected by an active or inactive healthcare provider pursuant to subsection (l) for judgments or settlements relating to injury or death arising out of the rendering of or failure to render professional services by such healthcare provider on or after July 1, 1989.

(g) A healthcare provider shall be deemed to have qualified for coverage under the

fund:

- (1) On and after July 1, 1976, if basic coverage is then in effect;
- (2) subsequent to July 1, 1976, at such time as basic coverage becomes effective; or
- (3) upon qualifying as a self-insurer pursuant to K.S.A. 40-3414, and amendments thereto.

(h) A healthcare provider who is qualified for coverage under the fund shall have no vicarious liability or responsibility for any injury or death arising out of the rendering of or the failure to render professional services inside or outside this state by any other healthcare provider who is also qualified for coverage under the fund. The provisions of this subsection shall apply to all claims filed on or after July 1, 1986.

(i) Notwithstanding the provisions of K.S.A. 40-3402, and amendments thereto, if the board of governors determines due to the number of claims filed against a healthcare provider or the outcome of those claims that an individual healthcare provider presents a material risk of significant future liability to the fund, the board of governors is authorized by a vote of a majority of the members thereof, after notice and an opportunity for hearing in accordance with the provisions of the Kansas administrative procedure act, to terminate the liability of the fund for all claims against the healthcare provider for damages for death or personal injury arising out of the rendering of or the failure to render professional services after the date of termination. The date of termination shall be 30 days after the date of the determination by the board of governors. The board of governors, upon termination of the liability of the fund under this subsection, shall notify the licensing or other disciplinary board having jurisdiction over the healthcare provider involved of the name of the healthcare provider and the reasons for the termination.

(j) (1) Subject to the provisions of paragraph (7), upon the payment of moneys from the healthcare stabilization fund pursuant to subsection (c)(11), the board of governors shall certify to the secretary of administration the amount of such payment, and the secretary of administration shall transfer an amount equal to the amount certified, reduced by any amount transferred pursuant to paragraph (3) or (4), from the state general fund to the healthcare stabilization fund.

(2) Subject to the provisions of paragraph (7), upon the payment of moneys from the healthcare stabilization fund pursuant to subsection (c)(12), the board of governors shall certify to the secretary of administration the amount of such payment that is equal to the basic coverage liability of self-insurers, and the secretary of administration shall transfer an amount equal to the amount certified, reduced by any amount transferred pursuant to paragraph (3) or (4), from the state general fund to the healthcare stabilization fund.

(3) The university of Kansas medical center private practice foundation reserve fund is hereby established in the state treasury. If the balance in such reserve fund is less than \$500,000 on July 1 of any year, the private practice corporations or foundations referred to in K.S.A. 40-3402(c), and amendments thereto, shall remit the amount necessary to increase such balance to \$500,000 to the state treasurer for credit to such reserve fund as soon after such July 1 date as is practicable. Upon receipt of each such remittance, the state treasurer shall credit the same to such reserve fund. When compliance with the foregoing provisions of this paragraph have been achieved on or after July 1 of any year in which the same are applicable, the state treasurer shall certify to the board of governors that such reserve fund has been funded for the year in the

manner required by law. Moneys in such reserve fund may be invested or reinvested in accordance with the provisions of K.S.A. 40-3406, and amendments thereto, and any income or interest earned by such investments shall be credited to such reserve fund. Upon payment of moneys from the healthcare stabilization fund pursuant to subsection (c)(11) or (c)(12) with respect to any private practice corporation or foundation or any of its full-time physician faculty employed by the university of Kansas, the secretary of administration shall transfer an amount equal to the amount paid from the university of Kansas medical center private practice foundation reserve fund to the healthcare stabilization fund or, if the balance in such reserve fund is less than the amount so paid, an amount equal to the balance in such reserve fund.

(4) The graduate medical education administration reserve fund is hereby established in the state treasury. If the balance in such reserve fund is less than \$40,000 on July 1 of any year, the nonprofit corporations organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall remit the amount necessary to increase such balance to \$40,000 to the state treasurer for credit to such reserve fund as soon after such July 1 date as is practicable. Upon receipt of each such remittance, the state treasurer shall credit the same to such reserve fund. When compliance with the foregoing provisions of this paragraph have been achieved on or after July 1 of any year in which the same are applicable, the state treasurer shall certify to the board of governors that such reserve fund has been funded for the year in the manner required by law. Moneys in such reserve fund may be invested or reinvested in accordance with the provisions of K.S.A. 40-3406, and amendments thereto, and any income or interest earned by such investments shall be credited to such reserve fund. Upon payment of moneys from the healthcare stabilization fund pursuant to subsection (c)(11) or (c)(12) with respect to any nonprofit corporations organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine the secretary of administration shall transfer an amount equal to the amount paid from the graduate medical education administration reserve fund to the healthcare stabilization fund or, if the balance in such reserve fund is less than the amount so paid, an amount equal to the balance in such reserve fund.

(5) Upon payment of moneys from the healthcare stabilization fund pursuant to subsection (c)(14) or (c)(15), the board of governors shall certify to the secretary of administration the amount of such payment, and the secretary of administration shall transfer an amount equal to the amount certified from the state general fund to the healthcare stabilization fund.

(6) Transfers from the state general fund to the healthcare stabilization fund pursuant to this subsection shall not be subject to the provisions of K.S.A. 75-3722, and amendments thereto.

(7) The funds required to be transferred from the state general fund to the healthcare stabilization fund pursuant to paragraphs (1) and (2) for the fiscal years ending June 30, 2010, June 30, 2011, June 30, 2012, and June 30, 2013, shall not be transferred prior to July 1, 2013. The secretary of administration shall maintain a record of the amounts certified by the board of governors pursuant to paragraphs (1) and (2) for the fiscal years ending June 30, 2010, June 30, 2011, June 30, 2012, and June 30, 2013. Beginning July 1, 2013, in addition to any other transfers required pursuant to subsection (j), the state general fund transfers that are deferred pursuant to this

paragraph shall be transferred from the state general fund to the healthcare stabilization fund in the following manner: On July 1, 2013, and annually thereafter through July 1, 2018, an amount equal to 20% of the total amount of state general fund transfers deferred pursuant to this paragraph for the fiscal years ending June 30, 2010, June 30, 2011, June 30, 2012, and June 30, 2013. The amounts deferred pursuant to this paragraph shall not accrue interest thereon.

(k) Notwithstanding any other provision of the healthcare provider insurance availability act, no psychiatric hospital licensed under K.S.A. 2020 Supp. 39-2001 et seq., and amendments thereto, shall be assessed a premium surcharge or be entitled to coverage under the fund if such hospital has not paid any premium surcharge pursuant to K.S.A. 40-3404, and amendments thereto, prior to January 1, 1988.

(l) ~~(1)~~ On or after July 1, 1989, and prior to January 1, 2022, every healthcare provider shall make an election to be covered by one of the following options provided ~~in this subsection~~ subparagraph (A) that shall limit the liability of the fund with respect to judgments or settlements relating to injury or death arising out of the rendering of or failure to render professional services on or after July 1, 1989. On and after January 1, 2022, every healthcare provider shall make an election to be covered by one of the following options provided in subparagraph (B) that shall limit the liability of the fund with respect to judgments or settlements relating to injury or death arising out of the rendering of or failure to render professional services on or after January 1, 2022. Such election shall be made at the time the healthcare provider renews the basic coverage ~~in effect on July 1, 1989~~, or, if basic coverage is not in effect, such election shall be made at the time such coverage is acquired pursuant to K.S.A. 40-3402, and amendments thereto. A medical care facility or a healthcare facility deemed qualified as a self-insurer under K.S.A. 40-3414(a), and amendments thereto, may opt out of the requirements set forth in subparagraph (B) if such medical care facility or healthcare facility substantially meets the minimum coverage requirements of this section through coverage provided by the captive insurance company of such medical care facility or healthcare facility. Notice of the election shall be provided by the insurer providing the basic coverage in the manner and form prescribed by the board of governors and shall continue to be effective from year to year unless modified by a subsequent election made prior to the anniversary date of the policy. The healthcare provider may at any subsequent election reduce the dollar amount of the coverage for the next and subsequent fiscal years, but may not increase the same, unless specifically authorized by the board of governors. Any election of fund coverage limits, whenever made, shall be with respect to judgments or settlements relating to injury or death arising out of the rendering of or failure to render professional services on or after the effective date of such election of fund coverage limits. Such election shall be made for persons engaged in residency training and persons engaged in other postgraduate training programs approved by the state board of healing arts at medical care facilities or mental health centers in this state by the agency or institution paying the surcharge levied under K.S.A. 40-3404, and amendments thereto, for such persons. The election of fund coverage limits for a nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be deemed to be effective at the highest option. Such options shall be as follows:

~~(+)(A)~~ (i) *OPTION 1.* The fund shall not be liable to pay in excess of \$100,000

pursuant to any one judgment or settlement for any party against such healthcare provider, subject to an aggregate limitation for all judgments or settlements arising from all claims made in the fiscal year in an amount of \$300,000 for such provider.

~~(2)~~(ii) *OPTION 2.* The fund shall not be liable to pay in excess of \$300,000 pursuant to any one judgment or settlement for any party against such healthcare provider, subject to an aggregate limitation for all judgments or settlements arising from all claims made in the fiscal year in an amount of \$900,000 for such provider.

~~(3)~~(iii) *OPTION 3.* The fund shall not be liable to pay in excess of \$800,000 pursuant to any one judgment or settlement for any party against such healthcare provider, subject to an aggregate limitation for all judgments or settlements arising from all claims made in the fiscal year in an amount of \$2,400,000 for such healthcare provider.

(B) (i) *OPTION 1.* The fund shall not be liable to pay in excess of \$500,000 pursuant to any one judgment or settlement for any party against such healthcare provider, subject to an aggregate limitation for all judgments or settlements arising from all claims made in the fiscal year in an amount of \$1,500,000 for such healthcare provider.

(ii) *OPTION 2.* The fund shall not be liable to pay in excess of \$1,500,000 pursuant to any one judgment or settlement for any party against such healthcare provider, subject to an aggregate limitation for all judgments or settlements arising from all claims made in the fiscal year in an amount of \$4,500,000 for such healthcare provider.

(2) The board of governors shall have the authority to adjust the amounts provided in subparagraph (B) as the board deems necessary to effectuate the provisions of the healthcare provider insurance availability act, except that the minimum coverage for a healthcare provider shall not be less than \$1,000,000 per claim and \$3,000,000 in the aggregate.

~~(m) The fund shall not be liable for any amounts due from a judgment or settlement against resident or nonresident inactive healthcare providers who first qualify as an inactive healthcare provider on or after July 1, 1989, unless such healthcare provider has been in compliance with K.S.A. 40-3402, and amendments thereto, for a period of not less than five years. If a healthcare provider has not been in compliance for five years, such healthcare provider may make application and payment for the coverage for the period while they are nonresident healthcare providers, nonresident self-insurers or resident or nonresident inactive healthcare providers to the fund. Such payment shall be made within 30 days after the healthcare provider ceases being an active healthcare provider and shall be made in an amount determined by the board of governors to be sufficient to fund anticipated claims based upon reasonably prudent actuarial principles. The provisions of this subsection shall not be applicable to any healthcare provider that becomes inactive through death or retirement, or through disability or circumstances beyond such healthcare provider's control, if such healthcare provider notifies the board of governors and receives approval for an exemption from the provisions of this subsection. Any period spent in a postgraduate program of residency training approved by the state board of healing arts shall not be included in computation of time spent in compliance with the provisions of K.S.A. 40-3402, and amendments thereto. The provisions of this subsection shall expire on July 1, 2014.~~

~~(n) In the event of a claim against a healthcare provider for personal injury or death arising out of the rendering of or the failure to render professional services by such~~

healthcare provider, the liability of the fund shall be limited to the amount of coverage selected by the healthcare provider at the time of the incident giving rise to the claim.

~~(n)~~ Notwithstanding anything in article 34 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, to the contrary, the fund shall in no event be liable for any claims against any healthcare provider based upon or relating to the healthcare provider's sexual acts or activity, but in such cases the fund may pay reasonable and necessary expenses for attorney fees incurred in defending the fund against such claim. The fund may recover all or a portion of such expenses for attorney fees if an adverse judgment is returned against the healthcare provider for damages resulting from the healthcare provider's sexual acts or activity.

Sec. 15. K.S.A. 2020 Supp. 40-3408 is hereby amended to read as follows: 40-3408. (a) ~~The insurer of a healthcare provider covered by the fund or self-insurer shall be liable only for the first \$200,000 of a claim for personal injury or death arising out of the rendering of or the failure to render professional services by such healthcare provider, subject to an annual aggregate of \$600,000 for all such claims against the healthcare provider. For a claim for personal injury or death arising out of the rendering of or the failure to render professional services by a healthcare provider, the insurer of a healthcare provider covered by the fund or self-insurer shall be liable only for the amount of basic coverage in effect on the date of the incident giving rise to the claim, subject to an annual aggregate amount of not less than three times the primary amount for all such claims against the healthcare provider. However,~~ If any liability insurance in excess of such amounts is applicable to any claim or would be applicable in the absence of this act, any payments from the fund shall be excess over such amounts paid, payable or that would have been payable in the absence of this act.

(b) If any inactive healthcare provider has liability insurance in effect ~~which that~~ is applicable to any claim or would be applicable in the absence of this act, any payments from the fund shall be excess over such amounts paid, payable or that would have been payable in the absence of this act.

(c) Notwithstanding anything in article 34 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, to the contrary, an insurer that provides coverage to a healthcare provider may exclude from coverage any liability incurred by such provider:

(1) From the rendering of or the failure to render professional services by any other healthcare provider who is required by K.S.A. 40-3402, and amendments thereto, to maintain professional liability insurance in effect as a condition to rendering professional services as a healthcare provider in this state; or

(2) based upon or relating to the healthcare provider's sexual acts or activity, but in such cases the insurer may provide reasonable and necessary expenses for attorney fees incurred in defending against such claim. The insurer may recover all or a portion of such expenses for attorney fees if an adverse judgment is returned against the healthcare provider for damages resulting from the healthcare provider's sexual acts or activity.

(d) The fund shall not be liable for payment of any claim excluded by an insurer pursuant to this section or any claim otherwise excluded from coverage under a healthcare provider's professional liability insurance.

(e) Notwithstanding any provision of article 34 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, to the contrary, an insurer that provides coverage to a healthcare provider may exclude from coverage:

(1) Any liability incurred by such healthcare provider as a result of professional services rendered as a charitable healthcare provider; or

(2) any liability incurred by such healthcare provider that is covered under the federal tort claims act pursuant to chapter 171 of title 28 of the United States code.

Sec. 16. K.S.A. 40-3409 is hereby amended to read as follows: 40-3409. (a) (1) In any action filed in this state for personal injury or death arising out of the rendering of or the failure to render professional services by any ~~health care~~ healthcare provider covered by the fund or any inactive ~~health care~~ healthcare provider covered by the fund, the plaintiff shall serve a copy of the petition upon the board of governors by registered mail, certified mail, priority mail, commercial delivery service or first class mail within ~~40~~ 30 calendar days from filing the same, and if such service is not made the fund shall not be liable for any amount due from a judgment or a settlement nor, in such case, shall the ~~health care~~ healthcare provider or the provider's insurer or the inactive ~~health care~~ healthcare provider or the provider's insurer be liable for such amount that, if such service had been made, would have been paid by the fund; (2) in any action filed outside of this state for personal injury or death arising out of the rendering of or the failure to render professional services by any ~~health care~~ healthcare provider or any inactive ~~health care~~ healthcare provider covered by the fund, the inactive ~~health care~~ healthcare provider, the self-insurer or the insurer of a ~~health care~~ healthcare provider or an inactive ~~health care~~ healthcare provider shall notify the board of governors, as soon as it is reasonably practicable, that such summons or petition has been filed. If the petition names as a defendant in the action a ~~health care~~ healthcare provider who is licensed, registered or certified by the state board of healing arts, the board of governors shall forward a copy of the petition to the state board of healing arts.

(b) Such action shall be defended by the insurer or the self-insurer, but if the board of governors believes it to be in the best interests of the fund, the board of governors may employ independent counsel to represent the interests of the fund. The cost of employing such counsel shall be paid from the fund. The board of governors is authorized to employ independent counsel in any such action against an inactive ~~health care~~ healthcare provider covered by the fund.

(c) The attorneys of record and the board of governors shall submit to the state board of healing arts expert witness reports which have been made available to the opposing parties in the case and, upon the request of the state board of healing arts, any depositions, interrogatories, admissions or other relevant information concerning the case which has been made available to the opposing parties in the case shall also be submitted. The board of governors shall not be required to furnish information not in the possession of the board of governors. Any report or other information made available to the state board of healing arts in accordance with this subsection shall be subject to K.S.A. 65-2898a and amendments thereto. Reasonable expenses incurred in reproducing such reports or other information shall be paid by the state board of healing arts.

Sec. 17. K.S.A. 2020 Supp. 40-3414 is hereby amended to read as follows: 40-3414. (a) (1) Any ~~health care~~ healthcare provider or any ~~health care~~ healthcare system organized and existing under the laws of this state which owns and operates more than one medical care facility or more than one ~~health care~~ healthcare facility, as defined in K.S.A. 40-3401, and amendments thereto, licensed by the state of Kansas, whose aggregate annual insurance premium is or would be ~~\$100,000~~ \$150,000 or more for

basic coverage calculated in accordance with rating procedures approved by the commissioner pursuant to K.S.A. 40-3413, and amendments thereto, may qualify as a self-insurer by obtaining a certificate of self-insurance from the board of governors. Upon application of any such ~~health-care~~ healthcare provider or ~~health-care~~ healthcare system, on a form prescribed by the board of governors, the board of governors may issue a certificate of self-insurance if the board of governors is satisfied that the applicant ~~is possessed~~ possesses and will continue to ~~be possessed of~~ possess the ability to pay any judgment for which liability exists equal to the amount of basic coverage required of a ~~health-care~~ healthcare provider obtained against such applicant arising from the applicant's rendering of professional services as a ~~health-care~~ healthcare provider.

(2) In making such determination the board of governors shall consider:

- ~~(1)(A)~~ The financial condition of the applicant;
- ~~(2)(B)~~ the procedures adopted and followed by the applicant to process and handle claims and potential claims;
- ~~(3)(C)~~ the amount and liquidity of assets reserved for the settlement of claims or potential claims; and
- ~~(4)(D)~~ any other ~~relevant~~ factors the board deems relevant.

(3) Any applicant for self-insurance that owns and operates more than one medical care facility or more than one healthcare facility shall be deemed qualified by the board of governors if such applicant is insured by a captive insurance company, as defined in K.S.A. 40-4301, and amendments thereto, or under the laws of the state of domicile of any such captive insurance company.

(4) The certificate of self-insurance may contain reasonable conditions prescribed by the board of governors. Upon notice and a hearing in accordance with the provisions of the Kansas administrative procedure act, the board of governors may cancel a certificate of self-insurance upon reasonable grounds therefor. Failure to pay any judgment for which the self-insurer is liable arising from the self-insurer's rendering of professional services as a ~~health-care~~ healthcare provider, the failure to comply with any provision of this act or the failure to comply with any conditions contained in the certificate of self-insurance shall be reasonable grounds for the cancellation of such certificate of self-insurance. The provisions of this subsection shall not apply to the Kansas soldiers' home, the Kansas veterans' home or to any ~~person~~ individual who is a self-insurer pursuant to subsection (d) or (e).

(b) Any such ~~health-care~~ healthcare provider or ~~health-care~~ healthcare system that holds a certificate of self-insurance shall pay the applicable surcharge set forth in K.S.A. 40-3402(c), and amendments thereto.

(c) The Kansas soldiers' home and the Kansas veterans' home shall be self-insurers and shall pay the applicable surcharge set forth in K.S.A. 40-3402(c), and amendments thereto.

(d) Persons/Individuals engaged in residency training as provided in K.S.A. 40-3401(r)(1) and (2), and amendments thereto, shall be self-insured by the state of Kansas for occurrences arising during such training, and such ~~person~~ individual shall be deemed a self-insurer for the purposes of the ~~health-care~~ healthcare provider insurance availability act. Such self-insurance shall be applicable to ~~a person~~ an individual engaged in residency training only when such ~~person~~ individual is engaged in medical activities which do not include extracurricular, extra-institutional medical service for

which such ~~person~~ individual receives extra compensation and which have not been approved as provided in K.S.A. 40-3401(r)(1) and (2), and amendments thereto.

(e) (1) ~~A person~~ An individual engaged in a postgraduate training program approved by the state board of healing arts at a medical care facility or mental health center in this state may be self-insured by such medical care facility or mental health center in accordance with this subsection ~~(e)~~ and in accordance with such terms and conditions of eligibility therefor as may be specified by the medical care facility or mental health center and approved by the board of governors. ~~A person~~ An individual self-insured under this subsection ~~(e)~~ by a medical care facility or mental health center shall be deemed a self-insurer for purposes of the ~~health care~~ healthcare provider insurance availability act. Upon application by a medical care facility or mental health center, on a form prescribed by the board of governors, the board of governors may authorize such medical care facility or mental health center to self-insure ~~persons~~ individuals engaged in postgraduate training programs approved by the state board of healing arts at such medical care facility or mental health center if the board of governors is satisfied that the medical care facility or mental health center is possessed and will continue to be possessed of ability to pay any judgment for which liability exists equal to the amount of basic coverage required of a ~~health care~~ healthcare provider obtained against ~~a person~~ an individual engaged in such a postgraduate training program and arising from such ~~person's individual's~~ rendering of or failure to render professional services as a ~~health care~~ healthcare provider.

(2) In making such determination the board of governors shall consider:

- (A) The financial condition of the medical care facility or mental health center;
- (B) the procedures adopted by the medical care facility or mental health center to process and handle claims and potential claims;
- (C) the amount and liquidity of assets reserved for the settlement of claims or potential claims by the medical care facility or mental health center; and
- (D) any other factors the board of governors deems relevant.

The board of governors may specify such conditions for the approval of an application as the board of governors deems necessary. Upon approval of an application, the board of governors shall issue a certificate of self-insurance to each ~~person~~ individual engaged in such postgraduate training program at the medical care facility or mental health center who is self-insured by such medical care facility or mental health center.

(3) Upon notice and a hearing in accordance with the provisions of the Kansas administrative procedure act, the board of governors may cancel, upon reasonable grounds therefor, a certificate of self-insurance issued pursuant to this subsection ~~(e)~~ or the authority of a medical care facility or mental health center to self-insure ~~persons~~ individuals engaged in such postgraduate training programs at the medical care facility or mental health center. Failure of ~~a person~~ an individual engaged in such postgraduate training program to comply with the terms and conditions of eligibility to be self-insured by the medical care facility or mental health center, the failure of a medical care facility or mental health center to pay any judgment for which such medical care facility or mental health center is liable as self-insurer of such ~~person~~ individual, the failure to comply with any provisions of the ~~health care~~ healthcare provider insurance availability act or the failure to comply with any conditions for approval of the application or any conditions contained in the certificate of self-insurance shall be reasonable grounds for

cancellation of such certificate of self-insurance or the authority of a medical care facility or mental health center to self-insure such ~~persons~~ individuals.

(4) A medical care facility or mental health center authorized to self-insure ~~persons~~ individuals engaged in such postgraduate training programs shall pay the applicable surcharge set forth in K.S.A. 40-3402(c), and amendments thereto, on behalf of such ~~persons~~ individuals.

(5) As used in this subsection ~~(e)~~, "medical care facility" does not include the university of Kansas medical center or those community hospitals or medical care facilities described in K.S.A. 40-3401(r)(2), and amendments thereto.

(f) For the purposes of subsection (a), "~~health care~~ healthcare provider" may include each health care provider in any group of ~~health care~~ healthcare providers who practice as a group to provide physician services only for a health maintenance organization, any professional corporations, partnerships or not-for-profit corporations formed by such group and the health maintenance organization itself. The premiums for each such provider, health maintenance organization and group corporation or partnership may be aggregated for the purpose of being eligible for and subject to the statutory requirements for self-insurance as set forth in this section.

(g) The provisions of subsections (a) and (f), relating to ~~health care~~ healthcare systems, shall not affect the responsibility of individual ~~health care~~ healthcare providers as defined in K.S.A. 40-3401(f), and amendments thereto, or organizations whose premiums are aggregated for purposes of being eligible for self-insurance from individually meeting the requirements imposed by K.S.A. 40-3402, and amendments thereto, with respect to the ability to respond to injury or damages to the extent specified therein and K.S.A. 40-3404, and amendments thereto, with respect to the payment of the ~~health care~~ healthcare stabilization fund surcharge.

(h) Each private practice corporation or foundation and their full-time physician faculty employed by the university of Kansas medical center and each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be deemed a self-insurer for the purposes of the ~~health care~~ healthcare provider insurance availability act. The private practice corporation or foundation of which the full-time physician faculty is a member and each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall pay the applicable surcharge set forth in K.S.A. 40-3404(a), and amendments thereto, on behalf of the private practice corporation or foundation and their full-time physician faculty employed by the university of Kansas medical center or on behalf of a nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine.

(i) (1) Subject to the provisions of paragraph (4), (i) for the purposes of the ~~health care~~ healthcare provider insurance availability act, each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be deemed to have been a ~~health care~~ healthcare provider as defined in K.S.A. 40-3401, and amendments thereto, from and after July 1, 1997.

(2) Subject to the provisions of paragraph (4), for the purposes of the ~~health care~~

healthcare provider insurance availability act, each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be deemed to have been a self-insurer within the meaning of subsection (h), and amendments thereto, from and after July 1, 1997.

(3) Subject to the provisions of paragraph (4), for the purposes of the ~~health care~~ healthcare provider insurance availability act, the election of fund coverage limits for each nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be deemed to have been effective at the highest option, as provided in K.S.A. 40-3403(1), and amendments thereto, from and after July 1, 1997.

(4) No nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be required to pay to the fund any annual premium surcharge for any period prior to the effective date of this act. Any annual premium surcharge for the period commencing on the effective date of this act and ending on June 30, 2001, shall be prorated.

Sec. 18. K.S.A. 2020 Supp. 40-3424 is hereby amended to read as follows: 40-3424. (a) For all claims made on and after July 1, 2014, the amount of fund liability for a judgment or settlement against a resident or nonresident inactive healthcare provider shall be equal to the minimum professional liability insurance policy limits required pursuant to K.S.A. 40-3402, and amendments thereto, and in effect on the date of the incident giving rise to a claim, plus the level of coverage selected by the healthcare provider pursuant to K.S.A. 40-3403(1), and amendments thereto, at the time of the incident giving rise to a claim.

(b) The aggregate fund liability for all judgments and settlements arising from all claims made in any fiscal year against a resident or nonresident inactive healthcare provider shall not exceed \$3,000,000 in any fiscal year.

~~(b) This section shall be part of and supplemental to the healthcare provider insurance availability act~~ For all claims made for incidents occurring on or after January 1, 2022, the aggregate fund liability for all judgments and settlements made in any fiscal year against a resident or nonresident inactive healthcare provider shall not exceed three times the coverage amount in subsection (a).;

On page 74, in line 2, after "40-2513" by inserting ", 40-3409"; in line 3, after the second comma by inserting "40-2c01,"; also in line 3, after "40-3306" by inserting ", 40-3402, 40-3403, 40-3408, 40-3414, 40-3424";

And by renumbering sections accordingly;

On page 1, in the title, in line 12, after the semicolon by inserting "increasing minimum coverage requirements with regard to the healthcare stabilization fund; changing membership of the board of governors; increasing time for service of process thereon; updating the version of risk-based capital instructions in effect;"; also in line 12, after "40-22a06" by inserting ", 40-3409"; in line 13, after the third comma by inserting "40-2c01,"; in line 14, after "40-3306" by inserting ", 40-3402, 40-3403, 40-3408, 40-3414, 40-3424";

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

STEVE JOHNSON

CHRIS CROFT

CINDY NEIGHBOR

*Conferees on part of House*

JEFF LONGBINE

VIRGIL PECK

CINDY HOLSCHER

*Conferees on part of Senate*

On motion of Rep. S. Johnson, the conference committee report on **SB 78** was adopted.

On roll call, the vote was: Yeas 113; Nays 7; Present but not voting: 0; Absent or not voting: 5.

Yeas: Alcala, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howe, Hoyer, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burris, Fairchild, French, Houser, Jacobs, Lee-Hahn, Rhiley.

Present but not voting: None.

Absent or not voting: Awerkamp, Garber, Howard, Newland, Victors.

## CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 29** 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 6 through 34;

On page 2, by striking all in lines 1 through 31; following line 31, by inserting:

"Section 1. K.S.A. 2020 Supp. 40-2,193 is hereby amended to read as follows: 40-2,193. (a) For the purposes of this section:

(1) "Specially designed policy" means an insurance policy that by design may not meet all or part of the definitions of a group or individual sickness and accident insurance policy and includes temporary sickness and accident insurance on a short-term, limited-duration basis.

(2) "Short-term, limited-duration" means an insurance policy period of ~~six months~~

~~or less than 12 months, based upon policy design, which that offers not more than one renewal period or extension periods up to a maximum policy period of 36 months total duration, with or without a requirement of medical re-underwriting or medical requalification.~~

(A) Because a short-term, limited-duration policy addresses the special needs for temporary coverage, a short-term, limited-duration policy is not subject to continuation provisions of the health insurance portability and accountability act of 1996 (public law 104-191).

(B) Because a short-term, limited-duration policy addresses the special needs for temporary coverage, a short-term, limited-duration policy shall be exempt from medical loss ratio calculations associated with individual sickness and accident insurance issued within the state unless such calculation excludes any monthly administration fee associated with the sale of such policy.

~~(b) Specially designed policies shall include policies designed to provide sickness and accident insurance for specific coverage of benefits or services that may be excluded as benefits or services cited under K.S.A. 2020 Supp. 40-2,192, and amendments thereto. Specially designed policies may include the following stand-alone policies and coverages:~~

- ~~(1) Chiropractic plans;~~
- ~~(2) acupuncture coverage plans;~~
- ~~(3) holistic medical treatment plans;~~
- ~~(4) podiatrist plans;~~
- ~~(5) pharmacy plans;~~
- ~~(6) psychiatric plans;~~
- ~~(7) allergy plans; and~~
- ~~(8) such other stand-alone plans or combinations of plans of accepted traditional and nontraditional medical practice as shall be allowable for exclusion from group or individual plans under K.S.A. 2020 Supp. 40-2,192, and amendments thereto.~~

~~(c) No specially designed policy shall be deemed to be included under the definition of group sickness and accident insurance, including short-term, limited-duration health insurance, issued or renewed inside or outside of this state and covering persons residing in this state.~~

Sec. 2. K.S.A. 2020 Supp. 40-2,193 is hereby repealed.";

On page 1, in the title, in line 1, by striking all after "to"; in line 2, by striking all before the semicolon and inserting "health insurance; providing for short-term, limited-duration health plans"; in line 3, by striking "40-2c01" and inserting "40-2,193";

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

STEVE JOHNSON

CHRIS CROFT

*Conferees on part of House*

JEFF LONGBINE

VIRGIL PECK

*Conferees on part of Senate*

On motion of Rep. S. Johnson to adopt the conference committee report on **SB 29**, Rep. Samsel offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed.

The substitute motion did not prevail. The question reverted back to the original motion of Rep. S. Johnson to adopt the conference committee report.

On roll call, the vote was: Yeas 68; Nays 51; Present but not voting: 0; Absent or not voting: 6.

Yeas: Anderson, Arnberger, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Burroughs, B. Carpenter, W. Carpenter, Clark, Collins, Corbet, Croft, Delperdang, Donohoe, Ellis, Esau, Estes, Fairchild, Finch, Francis, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Howe, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Murphy, Neelly, Owens, F. Patton, Penn, Poetter, Proctor, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Seiwert, Smith, A., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster.

Nays: Alcala, Amyx, Baker, Ballard, Bishop, Byers, Carlin, Carlson, Carmichael, Clayton, Coleman, Concannon, Curtis, Day, Dodson, M., Eplee, Featherston, Finney, French, Gartner, Haswood, Helgerson, Henderson, Highberger, Houser, Hoyer, Kelly, Kuether, Miller, Moser, Neighbor, Ohaebosim, Orr, Ousley, Poskin, Probst, Proehl, Ruiz, L., Ruiz, S., Samsel, Sawyer, Schreiber, Stogsdill, Vaughn, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Awerkamp, Howard, Newland, Parker, Smith, C., Victors.

#### MESSAGE FROM THE SENATE

The Senate announced the appointment of Senators Warren, Wilborn, and Haley to replace Senators Tyson, Alley and Holland as conferees on **SB 58**.

Announcing passage of **Sub HB 2397**, as amended by **S Sub for Sub HB 2397**.

#### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hawkins, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **S Sub for Sub HB 2397**.

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Waymaster, the House concurred in Senate amendments to **S Sub for SB HB 2397**, AN ACT reconciling conflicting amendments to certain statutes; amending K.S.A. 66-104, as amended by section 1 of 2021 House Bill No. 2367, 75-5133 and 79-3234 and K.S.A. 2020 Supp. 8-2110, 8-2118, as amended by section 6 of 2021 Senate Bill No. 67, 45-229, as amended by section 12 of 2021 House Bill No. 2390, 58-652, as amended by section 1 of 2021 Senate Bill No. 103, and 60-5508, as amended by section 6 of 2021 Senate Bill No. 283, and repealing the existing sections; also repealing K.S.A. 22-4514a, as amended by section 1 of 2021 Senate Bill No. 16, 66-104, as amended by section 1 of 2021 House Bill No. 2145, 75-3728c, as amended by section 2 of 2021 Senate Bill No. 16, 75-5133d, 76-721, as amended by section 3 of 2021 Senate Bill No. 16, 79-3233b, as amended by section 4 of 2021 Senate Bill No. 16, and 79-3234d and K.S.A. 2020 Supp. 8-2110b, 8-2118c, 39-1431b, 45-229, as amended by section 5 of 2021 House Bill No. 2162, 45-229, as amended by section 36 of 2021 House Bill No. 2391, 58-652, as amended by section 39 of 2021 Senate Bill No. 106, and 60-5508, as amended by section 3 of 2021 House Bill No. 2126.

On roll call, the vote was: Yeas 116; Nays 3; Present but not voting: 1; Absent or not voting: 5.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee-Hahn, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Orr, Ousley, Owens, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Helgerson, Houser, Jacobs.

Present but not voting: Rhiley.

Absent or not voting: Awerkamp, Howard, Newland, Parker, Victors

On motion of Rep. Hawkins, the House recessed until 2:00 p.m.

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#### EARLY AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Finch in the chair.

On motion of Rep. Hawkins, the House recessed until 3:15 p.m.

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#### AFTERNOON SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

#### MESSAGE FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 29**.

The Senate adopts the Conference Committee report on **SB 78**.

The Senate adopts the Conference Committee report on **HB 2137**.

#### CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 159** 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 7 through 10; following line 10 by inserting:

"Section 1. (a) For the fiscal years ending June 30, 2021, June 30, 2022, and June 30, 2023, appropriations are hereby made, restrictions and limitations are hereby imposed,

and transfers, capital improvement projects, fees, receipts, disbursements, procedures and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

(b) The agencies named in this act are hereby authorized to initiate and complete the capital improvement projects specified and authorized by this act or for which appropriations are made by this act, subject to the restrictions and limitations imposed by this act.

(c) This act shall be known and may be cited as the omnibus appropriation act of 2021 and shall constitute the omnibus reconciliation spending limit bill for the 2021 regular session of the legislature for purposes of K.S.A. 75-6702(a), and amendments thereto.

(d) The appropriations made by this act shall not be subject to the provisions of K.S.A. 46-155, and amendments thereto.";

On page 5, following line 37, by inserting the following:

"Sec. 14.

#### STATE BANK COMMISSIONER

(a) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 5(a) of 2021 House Bill No. 2007 on the bank commissioner fee fund (094-00-2811) of the state bank commissioner is hereby increased from \$11,304,273 to \$12,090,773.

(b) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 5(a) of 2021 House Bill No. 2007 on the bank commissioner fee fund (094-00-2811) of the state bank commissioner is hereby increased from \$11,649,189 to \$12,649,189.

Sec. 15.

#### BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 8(a) of 2021 House Bill No. 2007 on the behavioral sciences regulatory board fee fund (102-00-2730-0100) of the behavioral sciences regulatory board is hereby increased from \$959,145 to \$981,995.

Sec. 16.

#### STATE BOARD OF HEALING ARTS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 9(a) of chapter 5 of the 2020 Session Laws of Kansas on the healing arts fee fund (105-00-2705-0100) of the state board of healing arts is hereby increased from \$6,419,900 to \$6,434,020.

(b) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 9(a) of 2021 House Bill No. 2007 on the healing arts fee fund (105-00-2705-0100) of the state board of healing arts is hereby increased from

\$6,478,748 to \$6,527,233.

Sec. 17.

STATE BOARD OF MORTUARY ARTS

(a) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 15(a) of 2021 House Bill No. 2007 on the mortuary arts fee fund (204-00-2709-0100) of the state board of mortuary arts is hereby increased from \$304,038 to \$369,038.

Sec. 18.

STATE BOARD OF PHARMACY

(a) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 21(a) of 2021 House Bill No. 2007 on the state board of pharmacy fee fund (531-00-2718-0100) of the state board of pharmacy is hereby increased from \$2,565,656 to \$2,608,906.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year or years specified all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Prescription monitoring program fund

For the fiscal year ending June 30, 2022.....No limit  
For the fiscal year ending June 30, 2023.....No limit

Sec. 19.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Legislature employment security fund.....No limit

Sec. 20.

LEGISLATURE

(a) There is appropriated for the above agency (a) from the state general fund for the fiscal year ending June 30, 2022, the following:

Operations (including official  
hospitality) (428-00-1000-0103).....\$25,000

(b) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2022 as authorized by section 32 of 2021 House Bill No. 2007,

this or other appropriation act of the 2021 regular session of the legislature, subject to the provisions of this subsection, expenditures shall be made by the above agency from such moneys for fiscal year 2022 to create an interim study committee on child support enforcement and collection: *Provided, however;* That no expenditures shall be made from such moneys until the legislative coordinating council approves such interim study committee.

(c) During the fiscal year ending June 30, 2022, in addition to the other purpose for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2022 as authorized by section 32 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature, subject to the provisions of this subsection, expenditures shall be made by the above agency from such moneys for fiscal year 2022 to create an interim study committee on the federal 340B program: *Provided,* That such committee shall review: The requirements of the federal law; the role of qualifying 340B providers, pharmacies, pharmacy benefit managers and pharmaceutical drug manufacturers in such program; the fiscal impact of such program on all participants; any recent federal or state law changes affecting such program; any recent marketplace developments of interest; and the impact of such program on healthcare payers, including insureds, self-insureds and government programs: *Provided further;* That such committee shall have 13 members appointed by the legislative coordinating council and the speaker of the house of representatives shall appoint the chairperson.

Sec. 21.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (082-00-1000-0103).....	\$272,368
Protection from abuse (082-00-1000-0900).....	\$51,900

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Charitable organizations fee fund.....	No limit
Kansas fights addiction fund.....	No limit
Municipalities fight addiction fund.....	No limit

(c) During the fiscal year ending June 30, 2022, notwithstanding the provisions of any statute, in addition to the other purposes for which expenditures may be made from the scrap metal theft reduction fee fund for fiscal year 2022 by the attorney general as authorized by section 38 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the attorney general from the scrap metal theft reduction fee fund for fiscal year 2022 to reimburse

scrap metal dealers, as defined in K.S.A. 50-6,109, and amendments thereto, in the amount of \$1,000 for each year any such scrap metal dealer paid registration fees under the scrap metal theft reduction act and such act was not operative and to reimburse such scrap metal dealers for the costs of fingerprinting any such scrap metal dealer prior to July 1, 2020.

Sec. 22.

STATE TREASURER

(a) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by 41(a) of 2021 House Bill No. 2007 on the state treasurer operating fund (670-00-2374-2300) of the state treasurer is hereby increased from \$1,696,618 to \$1,795,618.

Sec. 23.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Assigned counsel  
expenditures (328-00-1000-0700).....\$3,569,164

(b) If 2021 House Bill No. 2363 or any other legislation that increases the compensation rate of assigned counsel by amending K.S.A. 22-4507, and amendments thereto, is not passed by the legislature during the 2021 regular session and enacted into law, then in addition to other purposes for which expenditures may be made by the above agency from the assigned counsel expenditures account (328-00-1000-0700) for fiscal year 2022 as authorized by this or other appropriation act of the 2021 regular session of the legislature, notwithstanding the provisions of any other statute to the contrary, the above agency shall make expenditures from such account to set the maximum rate of compensation of assigned counsel in fiscal year 2022 at \$100 per hour.

Sec. 24.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Judiciary operations (677-00-1000).....\$7,400,000

*Provided*, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the purposes of this subsection, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, following transfers

required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*; That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this subsection, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$7,400,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the judiciary operations account, an amount equal to such certified amount is hereby lapsed: *And provided further*; That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 25.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal

year ending June 30, 2022, the following:

Judiciary operations (677-00-1000).....\$16,990,384

*Provided, however*; That during the fiscal year ending June 30, 2022, any salary increase, including associated employer contributions, for nonjudicial personnel in the judicial personnel classification system shall not exceed 12%.

(b) During the fiscal year ending June 30, 2022, the justices of the supreme court, judges of the court of appeals, district court judges and district magistrate judges shall receive a 5% salary increase, including associated employer contributions.

Sec. 26.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Judiciary operations (677-00-1000).....\$1,944,998

(b) During the fiscal year ending June 30, 2023, the justices of the supreme court, judges of the court of appeals, district court judges and district magistrate judges shall receive a 5% salary increase, including associated employer contributions.

Sec. 27.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the

fiscal year ending June 30, 2021, the following:

Securities settlement (173-00-1000).....\$6,000,000

*Provided*, That if the state does not enter into a legal agreement to resolve Blumer v. Kansas, 2019-CV-00720 (3<sup>rd</sup> Judicial District), related to the securities act fee fund, by June 30, 2021, then on such date, the amount of \$6,000,000 is hereby lapsed.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 70(b) of chapter 5 of the 2020 Session Laws of Kansas, and transferred pursuant to executive reorganization order No. 45, published as chapter 21 of the 2020 Session Laws of Kansas, on the cafeteria benefits fund (173-00-7720-7723) for salaries and wages and other operating expenditures of the department of administration is hereby declared null and void and shall have no force and effect.

Sec. 28.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

KPERS bonds debt service (173-00-1000-0440).....\$28,750,000

(b) On July 1, 2021, the amount of \$2,348,000 authorized by section 146(b) of 2021 House Bill No. 2007 to be transferred by the director of accounts and reports from the state highway fund of the department of transportation to the statehouse debt service – state highway fund of the department of administration on September 1, 2021, is hereby decreased to \$1,377,290.

Sec. 29.

DEPARTMENT OF REVENUE

(a) During the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2021 as authorized by section 58 of chapter 5 of the 2020 Session Laws of Kansas, this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to open and operate on or before June 1, 2021, all driver's license offices previously closed due to the COVID-19 public health emergency with the services such offices were providing immediately prior to such closure.

Sec. 30.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (565-00-1000-0303).....\$356,571

(b) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 as authorized by section 65 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to continue operations in all driver's license offices previously closed due to the COVID-19 public health emergency with the services such offices were providing immediately prior to such closure.

Sec. 31.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by section 66(a) of 2021 House Bill No. 2007 to be transferred from the lottery operating fund (450-00-5123-5100) to the state gaming revenues fund (173-00-9011-9100) during the fiscal year ending June 30, 2021, is hereby decreased from \$69,390,000 to \$68,690,000.

Sec. 32.

DEPARTMENT OF COMMERCE

(a) During the fiscal year ending June 30, 2021, notwithstanding the provisions of the Kansas public broadcasting council act, K.S.A. 75-4912 through 75-4926, and amendments thereto, or any other statute, the above agency shall not expend any moneys appropriated for fiscal year 2021 from the state economic development initiatives fund or from any special revenue fund or funds of such agency by chapter 5 of the 2020 Session Laws of Kansas, 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature to any public broadcasting station that moved to a different city or has a plan to move to a different city, approved by the board of directors or management of such public broadcasting station, during such fiscal year.

Sec. 33.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2022, the following:

Reemployment implementation.....\$94,300

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Technology-enabled fiduciary financial institutions  
development and expansion fund.....No limit

(c) During the fiscal year ending June 30, 2022, notwithstanding the provisions of the Kansas public broadcasting council act, K.S.A. 75-4912 through 75-4926, and

amendments thereto, or any other statute, the above agency shall not expend any moneys appropriated for fiscal year 2022 from the state economic development initiatives fund or from any special revenue fund or funds of such agency by 2021 House Bill No. 2007, this or other appropriation act of the 2021 or 2022 regular session of the legislature to any public broadcasting station that moved to a different city or has a plan to move to a different city, approved by the board of directors or management of such public broadcasting station, during such fiscal year.

(d) On July 1, 2021, the amount of \$15,080,736 authorized by section 70(g) of 2021 House Bill No. 2007 to be transferred by the director of accounts and reports from the state economic development initiatives fund (300-00-1900-1100) to the state general fund on July 1, 2021, is hereby decreased to \$15,032,110.

Sec. 34.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Technology-enabled fiduciary financial institutions  
development and expansion fund.....No limit

(b) During the fiscal year ending June 30, 2023, notwithstanding the provisions of the Kansas public broadcasting council act, K.S.A. 75-4912 through 75-4926, and amendments thereto, or any other statute, the above agency shall not expend any moneys appropriated for fiscal year 2023 from the state economic development initiatives fund or from any special revenue fund or funds of such agency by 2021 House Bill No. 2007, this or other appropriation act of the 2021, 2022 or 2023 regular session of the legislature to any public broadcasting station that moved to a different city or has a plan to move to a different city, approved by the board of directors or management of such public broadcasting station, during such fiscal year.

Sec. 35.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Unemployment insurance modernization.....\$9,600,000

*Provided*, That notwithstanding section 30(c) of 2021 House Bill No. 2007, for the fiscal year ending June 30, 2022, on or before July 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the purposes of the unemployment insurance modernization project, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, following

transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*; That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2022 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on the date of such certification, of the \$9,600,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by this section from the state general fund in the unemployment insurance modernization account, an amount equal to such certified amount is hereby lapsed: *And provided further*; That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research: *Provided however*; That the above agency shall not expend any moneys from such account until the state finance council has reviewed federal moneys to the state for aid for coronavirus relief to determine if such moneys are available during fiscal year 2022 to be used for the purposes of this proviso: *And provided further*; That the above agency may expend up to \$250,000 from such account to conduct the audit established in section 1(g) of 2021 Senate Substitute for Substitute for House Bill No. 2196.

(b) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency for fiscal year 2022, as authorized by section 75 of 2021 House Bill No. 2007, this or any other appropriation act of the 2021 or 2022 regular session of the legislature, expenditures shall be made by such agency to prepare a report for national consumer reporting agencies, as defined in K.S.A. 50-702, and amendments thereto, on behalf of any claimant who filed a claim on or after March 1, 2020, and, upon request, delivered to such claimant, when such claim incurred a delay of 30 days or more in the payment of a benefit to a claimant who properly filed the claim and was entitled to receive the benefit: *Provided*, That for any such delayed payment of a benefit that was due to a claimant prior to the effective date of this act, one report for each such claimant shall be sent to such claimant within 45 days of the effective date of this act. The report shall indicate the number of benefit payments that were delayed and the number of days each benefit payment was delayed: *Provided further*; That for benefits due to a claimant after the effective date of this act, a separate report for each payment of a benefit that is delayed shall be sent to such claimant not later than 5 business days after the 30<sup>th</sup> day that the payment has been delayed and after each successive 30-day period that the payment is further delayed. The report shall indicate the total number of days that the payment of the benefit has been delayed: *And provided further*; That such report shall be provided to the claimant in electronic form if the claimant has provided an email address to the department of labor, or if the claimant has not provided an email address, such copy shall be mailed to the address provided by the claimant to the department.

Sec. 36.

KANSAS COMMISSION ON  
VETERANS AFFAIRS OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures – veteran services (694-00-1000-0203).....\$259,481

Sec. 37.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF PUBLIC HEALTH

(a) Notwithstanding any provision of law, during the fiscal year ending June 30, 2021, the above agency shall not expend any moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2021 as authorized by section 68 of chapter 5 of the 2020 Session Laws of Kansas, section 77 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature to conduct or authorize contact tracing except as provided in subsection (b).

(b) During the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2021 as authorized by section 68 of chapter 5 of the 2020 Session Laws of Kansas, section 77 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made from such moneys in fiscal year 2021 to employ, contract for or engage contact tracers and to adopt rules and regulations to implement, administer and enforce the provisions of this subsection: *Provided*, That persons acting as contact tracers under the authority of this subsection shall meet the qualifications and training prescribed by rules and regulations prescribed by the secretary of health and environment pursuant to this subsection: *Provided further*, That before collecting any contact data, each contact tracer shall execute, under oath, on a form prescribed by rules and regulations of the secretary of health and environment: *And provided further*, That a contact tracer shall not disclose the identity of an infected person to a contact: *And provided further*, That only contact data specifically authorized by the secretary pursuant to rules and regulations prescribed by the secretary of health and environment pursuant to this subsection may be collected as part of contact tracing: *And provided further*, That the secretary of health and environment shall not produce contact data pursuant to a subpoena unless such subpoena is issued by a court and is accompanied by a valid protective order preventing further disclosure of such data: *And provided further*, That contact data shall be: (1) Used only for the purpose of contact tracing and not for any other purpose; (2) confidential and shall not be disclosed, produced in response to any Kansas open records act request or made public, unless the disclosure is necessary to conduct contact tracing; and (3) safely and securely destroyed when no longer necessary for contact tracing, pursuant to rules and regulations adopted pursuant to this subsection: *And provided further*, That participation in contact tracing shall be voluntary, and no contact or infected person shall be compelled to participate in, nor be prohibited from participating in, contact tracing: *And provided further*, That contact tracing shall not be conducted through the use of any service or means that uses cellphone location data to identify or track, directly or indirectly, the movement of persons: *And provided further*,

That no third party shall be required to collect or maintain data regarding infected persons or contacts for the purpose of contact tracing.

(c) For the purposes of this section:

(1) "Contact" means a person known to have been in association with an infected person as to have had an opportunity of acquiring an infection;

(2) "contact data" means information collected through contact tracing and includes medical, epidemiological, individual movement or mobility, names or other data;

(3) "contact tracer" means a person or entity employed, contracted or engaged by the department of health and environment to conduct contact tracing;

(4) "contact tracing" means identifying persons who may have been exposed to an infected person for the purpose of containing the spread of COVID-19 by notifying the contact that the contact may have been exposed, should be tested and should self-quarantine;

(5) "COVID-19" means the novel coronavirus identified as SARS-CoV-2; and

(6) "infected person" means a person known or reasonably suspected to be infected with COVID-19.

Sec. 38.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF PUBLIC HEALTH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including official  
hospitality) – health (264-00-1000-0270).....\$463,680

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law shall not exceed the following:

Rural hospital innovation grant fund.....No limit

(c) Notwithstanding any provision of law, during the fiscal year ending June 30, 2022, the above agency shall not expend any moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2022 as authorized by section 78 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature to conduct or authorize contact tracing except as provided in subsection (d).

(d) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund or from any special revenue fund or funds for the above agency for fiscal year 2022 as authorized by section 78 of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature,

expenditures may be made from such moneys in fiscal year 2022 to employ, contract for or engage contact tracers and to adopt rules and regulations to implement, administer and enforce the provisions of this subsection: *Provided*, That persons acting as contact tracers under the authority of this subsection shall meet the qualifications and training prescribed by rules and regulations prescribed by the secretary of health and environment pursuant to this subsection: *Provided further*, That before collecting any contact data, each contact tracer shall execute, under oath, on a form prescribed by rules and regulations of the secretary of health and environment: *And provided further*, That a contact tracer shall not disclose the identity of an infected person to a contact: *And provided further*, That only contact data specifically authorized by the secretary pursuant to rules and regulations prescribed by the secretary of health and environment pursuant to this subsection may be collected as part of contact tracing: *And provided further*, That the secretary of health and environment shall not produce contact data pursuant to a subpoena unless such subpoena is issued by a court and is accompanied by a valid protective order preventing further disclosure of such data: *And provided further*, That contact data shall be: (1) Used only for the purpose of contact tracing and not for any other purpose; (2) confidential and shall not be disclosed, produced in response to any Kansas open records act request or made public, unless the disclosure is necessary to conduct contact tracing; and (3) safely and securely destroyed when no longer necessary for contact tracing, pursuant to rules and regulations adopted pursuant to this subsection: *And provided further*, That participation in contact tracing shall be voluntary, and no contact or infected person shall be compelled to participate in, nor be prohibited from participating in, contact tracing: *And provided further*, That contact tracing shall not be conducted through the use of any service or means that uses cellphone location data to identify or track, directly or indirectly, the movement of persons: *And provided further*, That no third party shall be required to collect or maintain data regarding infected persons or contacts for the purpose of contact tracing.

(e) For the purposes of this section:

(1) "Contact" means a person known to have been in association with an infected person as to have had an opportunity of acquiring an infection;

(2) "contact data" means information collected through contact tracing and includes medical, epidemiological, individual movement or mobility, names or other data;

(3) "contact tracer" means a person or entity employed, contracted or engaged by the department of health and environment to conduct contact tracing;

(4) "contact tracing" means identifying persons who may have been exposed to an infected person for the purpose of containing the spread of COVID-19 by notifying the contact that the contact may have been exposed, should be tested and should self-quarantine;

(5) "COVID-19" means the novel coronavirus identified as SARS-CoV-2; and

(6) "infected person" means a person known or reasonably suspected to be infected with COVID-19.

Sec. 39.

DIVISION OF HEALTH CARE FINANCE

(a) On the effective date of this act, of the \$729,950,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 70(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the other medical assistance account (264-00-1000-3026), the sum of \$139,000,000 is hereby lapsed.

Sec. 40.

DEPARTMENT OF HEALTH AND ENVIRONMENT –  
DIVISION OF HEALTH CARE FINANCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Children's health insurance program (1000-0060).....\$10,054,086

(b) On July 1, 2021, of the \$759,750,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 80(a) of 2021 House Bill No. 2007 from the state general fund in the other medical assistance account (264-00-1000-3026), the sum of \$56,000,000 is hereby lapsed.

(c) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 80(b) of 2021 House Bill No. 2007 on the medical programs fee fund (264-00-2395-0110) of the department of health and environment – division of health care finance is hereby decreased from \$143,519,270 to \$130,519,270.

(d) During the fiscal year ending June 30, 2022, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 by this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the above agency from such moneys to set the monthly protected income level for purposes of determining the person's client obligation at an amount equal to 300% of federal supplemental security income for any person in Kansas receiving home and community-based services administered under section 1915(c) of the federal social security act and any person in Kansas receiving services from a program of all-inclusive care for the elderly administered by the Kansas department for aging and disability services: *Provided*, That on and after July 1, 2021, the provisions of section 80(e) of 2021 House Bill No. 2007 shall be null and void and have no force and effect.

Sec. 41.

KANSAS DEPARTMENT FOR  
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Kansas neurological institute – operating  
expenditures (363-00-1000-0303).....\$141,000

*Provided*, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special

Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$141,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the Kansas neurological institute – operating expenditures account, an amount equal to such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Larned state hospital – operating  
 expenditures (410-00-1000-0103).....\$441,000

*Provided*, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$441,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the Larned state hospital – operating expenditures account, an amount equal to such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the

director of legislative research.

Osawatomic state hospital – operating expenditures (494-00-1000-0100).....\$198,000

*Provided*, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$198,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the Osawatomic state hospital – operating expenditures account, an amount equal to such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Parsons state hospital and training center – operating expenditures (507-00-1000-0100).....\$155,000

*Provided*, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$155,000 appropriated for the

above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the Parsons state hospital and training center – operating expenditures account, an amount equal to such certified amount is hereby lapsed: *And provided further;* That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(b) During the fiscal year ending June 30, 2021, in addition to the other purposes for which expenditures may be made by the above agency from the KanCare caseloads account (039-00-1000-0610) for fiscal year 2021, as authorized by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas, this or any other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by such agency from such account in an amount not to exceed \$13,230,000 to implement a \$15 increase to the daily reimbursement rate for nursing facilities for the period commencing January 1, 2021, through June 30, 2021: *Provided,* That on the effective date of this act, the provisions of section 83(dd) of 2021 House Bill No. 2007 requiring the expenditures to implement a \$15 increase to the daily reimbursement rate for nursing facilities for the period commencing January 1, 2021, through April 30, 2021, and requiring legislative coordinating council review and approval of such expenditures for the period commencing May 1, 2021, through June 30, 2021, are hereby declared to be null and void and shall have no force and effect.

(c) On the effective date of this act, of the \$410,661,520 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the KanCare caseloads account (039-00-1000-0610), the sum of \$34,597,675 is hereby lapsed.

(d) On the effective date of this act, of the \$35,500,000 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 74(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the non-KanCare caseloads account (039-00-1000-0611), the sum of \$8,178,905 is hereby lapsed.

Sec. 42.

KANSAS DEPARTMENT FOR  
AGING AND DISABILITY SERVICES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

State operations (039-00-1000-0801).....	\$556,710
KanCare non-caseloads (039-00-1000-0612).....	\$6,281,324
BH community aid (039-00-1000-3004).....	\$3,000,000

*Provided,* That notwithstanding section 30(c) of 2021 House Bill No. 2007, for the fiscal year ending June 30, 2022, on or before July 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the operational costs of the 988 crisis hotline, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative

requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency, in consultation with the director of the budget, determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2022 to be used for operational costs of the 988 crisis hotline, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on the date of such certification, of the \$3,000,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by this section from the state general fund in the BH community aid account, an amount equal to such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(b) On July 1, 2021, of the \$460,285,911 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of 2021 House Bill No. 2007 from the state general fund in the KanCare caseloads account (039-00-1000-0610), the sum of \$83,658,569 is hereby lapsed.

(c) During the fiscal year ending June 30, 2022, in addition to the other purposes for which the above agency may make expenditures from the KanCare non-caseloads account (039-00-1000-0612) of the state general fund as authorized by section 84(a) of 2021 House Bill No. 2007, this or any other appropriation act of the 2021 regular session of the legislature, the above agency shall make expenditures from such account in an amount not to exceed \$6,198,516 to increase provider reimbursement rates for the specialized medical care services code (T1000) under the home and community-based services technology assisted waiver to \$43 per hour for in-home registered nurse and licensed practical nurse nursing services under such waiver: *Provided*, That on and after July 1, 2021, the provisions of section 84(a) of 2021 House Bill No. 2007 requiring the above agency to make expenditures from the KanCare non-caseloads account to increase such rates to \$39 per hour shall be null and void and have no force and effect.

(d) On July 1, 2021, of the \$27,470,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 84(a) of 2021 House Bill No. 2007 from the state general fund in the non-KanCare caseloads account (039-00-1000-0611), the sum of \$1,470,000 is hereby lapsed.

Sec. 43.

KANSAS DEPARTMENT FOR  
CHILDREN AND FAMILIES

(a) On the effective date of this act, of the \$218,083,623 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 76(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the youth services and assistance account (629-00-1000-7020), the sum of \$3,350,000 is hereby lapsed.

Sec. 44.

KANSAS DEPARTMENT FOR  
CHILDREN AND FAMILIES

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Youth services and assistance account (629-00-1000-7020).....\$429,592

Provided, That in addition to other purposes for which expenditures may be made by the above agency from the youth services aid and assistance account for fiscal year 2022, an amount not to exceed \$300,000 shall be expended by the above agency from such account for fiscal year 2022 for the purposes of funding the hope ranch for women pilot program: Provided further, That in addition to other purposes for which expenditures may be made by the above agency from such account for fiscal year 2022, expenditures shall be made by the above agency from such account for fiscal year 2022 for the creation of a report detailing activities conducted during the hope ranch for women pilot program, including the number of women served, the demographics of women served, the client service needs at intake, the length of services, the reasons for any cases closing, the recidivism rate, the client costs and the average project costs, and a budget itemization report and budget transaction report: And provided further, That the secretary for children and families shall submit such report to the house of representatives committee on social services budget on or before January 31, 2022.

Sec. 45.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (434-00-1000-0300).....\$30,000

Provided, That in addition to the other purposes for which expenditures may be made by the above agency from the operating expenditures account (434-00-1000-0300), expenditures may be made for the relocation or remodeling of the state library.

Sec. 46.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Midwest stem cell therapy center (683-00-1000-0800).....\$500,000

Provided, That expenditures may be made from the midwest stem cell therapy center account in an amount not to exceed \$500,000 for the purpose of conducting clinical trials to treat COVID-19 patients using MSCTC-0010 cells developed at the midwest stem cell therapy center: Provided further, That such expenditures shall be made solely under the direction and control of the director of the midwest stem cell therapy center: And provided further, That on June 30, 2022, if such expenditures have not been made for such purpose, then the amount of \$500,000 is hereby lapsed.

Sec. 47.

STATE BOARD OF REGENTS

(a) In addition to the other purposes for which expenditures may be made by the above agency from the tuition for technical education account (561-00-1000-0120) of the state general fund for fiscal year 2021 as authorized by section 101(a) of chapter 5 of the 2020 Session Laws of Kansas, section 114(a) of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made by the above agency for the payment of technical education tuition for adult students who are enrolled in technical education classes while pursuing a high school equivalency (HSE) credential using the accelerating opportunity program and for the postsecondary education institution to provide a transcript to each student who completes such technical education course.

Sec. 48.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Tuition waivers (561-00-1000-1650).....\$215,343

*Provided*, That any unencumbered balance in the tuition waivers account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Kansas promise scholarship.....\$10,000,000

Postsecondary education operating grant (including official hospitality).....\$15,000,000

*Provided*, That expenditures shall be made by the above agency from such account during fiscal year 2022 for employee buyouts, reimbursement for the February cold weather event energy bills, economic development and scholarships: *Provided further*; That expenditures may also be made by the university of Kansas medical center for the purposes of employee retention and recruitment.

Municipal university operating grant (561-00-1000-1010).....\$665,000

*Provided*, That expenditures shall be made by the above agency from such account during fiscal year 2022 for scholarships, utilities, student success and retention, minority student engagement, financial forecasting, modeling and reporting system development and to pursue additional economic development initiatives in conjunction with surrounding community.

Comprehensive grant (561-00-1000-4500).....\$8,000,000

Community college maintenance of effort.....\$5,000,000

*Provided*, That any expenditures made by community colleges from such account during fiscal year 2022 shall be for non-recurring commitments.

Technical colleges equipment fund.....\$4,335,000

*Provided*, That expenditures shall be made by the above agency from such account during fiscal year 2022 so that the moneys are divided equally among the seven technical colleges at \$619,285 each and used only for equipment.

Need-based aid scholarships and recruitment.....\$10,000,000

*Provided*, That expenditures shall be made by the above agency to the state universities and Washburn university from such account during fiscal year 2022 for need-based aid scholarships and student recruitment, following the board of regents policies on recruitment, if the state universities and Washburn university: (1) Are offering class in person, if such class was previously offered in person in the classroom; (2) have refunded any money for room, board and meal plans related to closure because of the pandemic directly to the student and not by providing a credit; and (3) are following the board of regents policies on deferred maintenance, if such university is required to follow such policies.

(b) During the fiscal year ending June 30, 2022, all expenditures in subsection (a) by the above agency shall be in adherence with federal guidelines for the maintenance of effort requirements included in the coronavirus response and relief supplemental appropriations (CRRSA) act and the American rescue plan act (ARPA): *Provided*, That in addition to the other purposes for which expenditures may be made for fiscal year 2022, expenditures shall be made to submit a request, in consultation with the governor or the commission of education, for a waiver of the maintenance of effort requirement in such federal acts: *Provided further*; That expenditures shall be made to submit a report to the legislative budget committee not later than January 10, 2022, detailing how maintenance of effort moneys were spent during fiscal year 2022.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the tuition for technical education account (561-00-1000-0120) of the state general fund for fiscal year 2022 as authorized by section 115(a) of 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature, expenditures may be made by the above agency for the payment of technical education tuition for adult students who are enrolled in technical education classes while pursuing a high school equivalency (HSE) credential using the accelerating opportunity program and for the postsecondary education institution to provide a transcript to each student who completes such technical education course.

Sec. 49.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Kansas promise scholarship.....\$10,000,000

*Provided*, That any unencumbered balance in the Kansas promise scholarship account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Sec. 50.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (521-00-1000-0603).....\$1,371,826

*Provided*, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$1,371,826 appropriated for the above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the operating expenditures account, an amount equal to such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 51.

#### DEPARTMENT OF CORRECTIONS

(a) Notwithstanding section 30(c) of 2021 House Bill No. 2007, for the fiscal year ending June 30, 2022, on or before July 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the purposes of the replacement of adult and juvenile offender management data systems, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided*, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2022 to be used for the purposes of this subsection, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on the date of such certification, of the \$12,521,500 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 117(a) of 2021 House Bill No. 2007 from the state general fund in the evidence-based programs account (521-00-1000-0050), the sum of up to \$2,000,000 is hereby lapsed:

*And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(b) Notwithstanding section 30(c) of 2021 House Bill No. 2007, for the fiscal year ending June 30, 2022, on or before July 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the purposes of the replacement of adult and juvenile offender management data systems, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided*, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *Provided further*, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2022 to be used for the purposes of this subsection, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on the date of such certification, the sum of up to \$79,182 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 117(a) of 2021 House Bill No. 2007 from the state general fund in the debt service payments – data systems replacement account (521-00-1000) is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

(c) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2022, the following:

Capital improvements – rehabilitation  
and repair of juvenile correctional  
facilities (521-00-8100-8000).....\$200,000

*Provided*, That expenditures shall be made from the capital improvements – rehabilitation and repair of juvenile correctional facilities account for a study of repurposing the Kansas juvenile correctional complex and establishing three or more smaller regional juvenile facilities: *Provided further*, That such study shall also address future plans for the former Larned juvenile correctional facility and other underutilized facilities within the correctional system: *And provided further*, That a report on such study's findings shall be submitted to the legislature prior to July 1, 2022.

Sec. 52.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2021, the following:

Operating expenditures (034-00-1000-0053).....\$179,519

*Provided*, That notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$179,519 appropriated for the above agency for the fiscal year ending June 30, 2021, by this section from the state general fund in the operating expenditures account, an amount equal to such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 53.

#### KANSAS HIGHWAY PATROL

(a) On the effective date of this act, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$44,835 from the state highway fund of the department of transportation to the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2021, by section 107(a) of chapter 5 of the 2020 Session Laws of Kansas on the Kansas highway patrol operations fund (280-00-2034-1100) of the Kansas highway patrol is hereby increased from \$55,304,248 to \$55,349,083.

(c) Notwithstanding sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, for the fiscal year ending June 30, 2021, on or before June 15, 2021, the director of the budget shall determine the amount of moneys from any federal law that appropriates moneys to the state for aid for coronavirus relief that are eligible to be used for the February cold weather event energy bills, may be expended at the discretion of the state in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: *Provided further*, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the director of the

budget shall determine the remaining moneys available in special revenue funds: *And provided further*, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2021 to be used for the purposes of this subsection, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on June 30, 2021, of the \$44,835 transferred by subsection (a) for the fiscal year ending June 30, 2021, an amount equal to such certified amount is hereby lapsed: *And provided further*, That such increase in the expenditure limitation by subsection (b) for the fiscal year ending June 30, 2021, shall be decreased by such certified amount: *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 54.

ATTORNEY GENERAL – KANSAS  
BUREAU OF INVESTIGATION

(a) There is appropriated for the above agency (a) from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (083-00-1000-0083).....\$366,552

*Provided*, That during the fiscal year ending June 30, 2022, the director of the Kansas bureau of investigation shall certify the actual amount of expenditures from the operating expenditures account for contract vendor programming updates and responsibilities for the criminal history repository, including expungement responsibilities, relating to 2021 House Bill No. 2058 to the director of accounts and reports: *Provided further*, That upon receipt of such certification by the director of accounts and reports, of the \$366,552 appropriated for the above agency for the fiscal year ending June 30, 2022, by this section from the state general fund in the operating expenditures account, the difference between \$250,000 and such certified amount is hereby lapsed: *And provided further*, That at the same time as the director of the Kansas bureau of investigation transmits certification to the director of accounts and reports, the director of the Kansas bureau of investigation shall transmit a copy of such certification to the director of the budget and the director of legislative research.

Sec. 55.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 136(b) of 2021 House Bill No. 2007 on the wildlife fee fund (710-00-2300-2890) of the Kansas department of wildlife and parks is hereby increased from \$34,732,891 to \$35,855,891.

Sec. 56.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, or as soon thereafter as moneys are available,

the director of accounts and reports shall transfer \$12,500,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the special city and county highway fund (276-00-4220-4220): *Provided*, That, in addition to other purposes for which transfers and expenditures may be made from the state highway fund during fiscal year 2021 and notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, transfers may be made from the state highway fund to the special city and county highway fund under this subsection during fiscal year 2021.

(b) In addition to the other purposes for which expenditures may be made by the above agency from the special city and county highway fund (276-00-4220-4220) for fiscal year 2021, expenditures may be made by the above agency from the special city and county highway fund for fiscal year 2021 for the purposes of an additional allocation and payment to the several counties and several cities in the state: *Provided*, That prior to July 1, 2021, the state treasurer shall apportion and pay \$12,500,000 to the several counties and several cities in the state in the manner provided in K.S.A. 79-3425c, and amendments thereto.

(c) In addition to the other purposes for which expenditures may be made by the above agency from the county equalization and adjustment fund (276-00-4210-4210) for fiscal year 2021, expenditures maybe made by the above agency from the county equalization and adjustment fund for fiscal year 2021 for the purposes of an additional distribution to qualifying counties in the state: *Provided*, That prior to July 1, 2021, the state treasurer distribute any remaining balance in the county equalization and adjustment fund in the manner provided in K.S.A. 79-3425c, and amendments thereto.

Sec. 57.

#### DEPARTMENT OF TRANSPORTATION

(a) On July 1, 2021, the expenditure limitation established for the fiscal year ending June 30, 2022, by section 138(b) of 2021 House Bill No. 2007 on the agency operations (276-00-4100-0403) account of the state highway fund (276-00-4100-4100) of the department of transportation is hereby increased from \$283,051,550 to \$283,077,900.

Sec. 58. (a) On June 30, 2022, notwithstanding the provisions of K.S.A. 74-8768, and amendments thereto, or any other statute, the director of accounts and reports shall transfer the amount of any unencumbered balance in the expanded lottery act revenues fund to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the expanded lottery act revenues fund to the state general fund as prescribed by law.

(b) On June 30, 2022, the director of accounts and reports shall determine and notify the director of the budget if the amount of revenue collected in the expanded lottery act revenues fund for the fiscal year ending June 30, 2022, is insufficient to fund the appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2022, in accordance with the provisions of appropriation acts. The director of the budget shall certify to the director of accounts and reports the amount necessary to be transferred from the state general fund to the expanded lottery act revenues fund in order to fund all such appropriations and transfers that are authorized from the expanded lottery act revenues fund for the fiscal year ending June 30, 2022. Upon receipt of such certification, the director of

accounts and reports shall transfer the amount of moneys from the state general fund to the expanded lottery act revenues fund that is required in accordance with the certification by the director of the budget under this section. At the same time as the director of the budget transmits this certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research.

Sec. 59. (a) Notwithstanding any other provision of law, no state agency named in 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature shall expend any moneys appropriated from the state general fund or from any special revenue fund or funds for each such state agency for fiscal year 2021 as authorized by chapter 5 of the 2020 Session Laws of Kansas, 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature to: (1) Issue a COVID-19 vaccination passport to any individual without such individual's consent; (2) require an individual to use a COVID-19 vaccination passport within this state for any purpose; or (3) deny housing or refuse access to a place accessible to the general public, or separate from others in a place accessible to the general public, including entry, education, travel and services within this state, based on such individual's COVID-19 vaccination status: *Provided, however*; That nothing in this section shall prohibit a state agency from instituting COVID-19 screening protocols in accordance with state and federal law to protect the public health.

(b) As used in this section:

(1) "COVID-19 vaccination passport" means written or electronic documentation of an individual's COVID-19 vaccination status; and

(2) "screening protocol" means a non-invasive method to determine whether an individual has symptoms or other risk factors for developing COVID-19, including, but not limited to, temperature checks, self-reporting of exposure, self-reported vaccination status and questionnaires.

Sec. 60. (a) Notwithstanding any other provision of law, no state agency named in 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature shall expend any moneys appropriated from the state general fund or from any special revenue fund or funds for each such state agency for fiscal year 2022 as authorized by 2021 House Bill No. 2007, this or other appropriation act of the 2021 regular session of the legislature to: (1) Issue a COVID-19 vaccination passport to any individual without such individual's consent; (2) require an individual to use a COVID-19 vaccination passport within this state for any purpose; or (3) deny housing or refuse access to a place accessible to the general public, or separate from others in a place accessible to the general public, including entry, education, travel and services within this state, based on such individual's COVID-19 vaccination status: *Provided, however*; That nothing in this section shall prohibit a state agency from instituting COVID-19 screening protocols in accordance with state and federal law to protect the public health.

(b) As used in this section:

(1) "COVID-19 vaccination passport" means written or electronic documentation of an individual's COVID-19 vaccination status; and

(2) "screening protocol" means a non-invasive method to determine whether an

individual has symptoms or other risk factors for developing COVID-19, including, but not limited to, temperature checks, self-reporting of exposure, self-reported vaccination status and questionnaires.

Sec. 61. (a) Subject to the provisions of subsection (c), in addition to the other purposes for which expenditures may be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022, as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the department of administration from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 to provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to renovate building No. 3, Docking state office building. Such capital improvement project is hereby approved for the department of administration for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with such statute. The department of administration shall make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project. The aggregate principal from the issuance of any such bonds for such capital improvement project shall not exceed \$120,000,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds, and minus any moneys identified pursuant to subsection (d). All moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants. The debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds. Any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas. This capital improvement project shall be implemented using the building design-build project delivery procedures pursuant to K.S.A. 75-37,145 et seq., and amendments thereto.

(b) Subject to the provisions of subsection (c), in addition to the other purposes for which expenditures may be made by the department of health and environment from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022, as authorized by this or other appropriation act of the 2021 regular session of the legislature, expenditures shall be made by the department of health and environment from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022 to issue a request for proposal for a capital improvement project to construct or renovate a building and to equip a department of health and environment laboratory. Such request for proposal shall be within an eight-mile radius of the capitol complex in Topeka for location of such laboratory. Following receipt of such proposals, the department of health and environment shall present all proposals to the joint committee on state building construction for review. The joint committee on state building construction shall review

and make a recommendation to the state finance council concerning the capital improvement project. Following the procedures established in this section, the department of health and environment shall provide for the issuance of bonds by the Kansas development finance authority in accordance with K.S.A. 74-8905, and amendments thereto, for a capital improvement project to construct or renovate a building and to equip a department of health and environment laboratory. Such capital improvement project is hereby approved for the department of health and environment for the purposes of K.S.A. 74-8905(b), and amendments thereto, and the authorization of the issuance of bonds by the Kansas development finance authority in accordance with that statute. The department of health and environment shall make expenditures from the moneys received from the issuance of any such bonds for such capital improvement project. The aggregate principal from the issuance of any such bonds for such capital improvement project shall not exceed \$65,000,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the construction of such project, credit enhancement costs and any required reserves for the payment of principal and interest on the bonds, and minus any moneys identified pursuant to subsection (d). All moneys received from the issuance of any such bonds shall be deposited and accounted for as prescribed by applicable bond covenants. The debt service for any such bonds for such capital improvement project shall be financed by appropriations from the state general fund or any appropriate special revenue fund or funds. Any such bonds and interest thereon shall be an obligation only of the Kansas development finance authority, shall not constitute a debt of the state of Kansas within the meaning of section 6 or 7 of article 11 of the constitution of the state of Kansas and shall not pledge the full faith and credit or the taxing power of the state of Kansas.

(c) Prior to proceeding with the capital improvement projects authorized in this section, such projects shall be approved by the state finance council acting on this matter, which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto, except that such approval also may be given while the legislature is in session. Such projects shall be approved in a single resolution of the state finance council.

(d) Prior to issuing any bonds as authorized in this section, the director of the budget, in consultation with the secretary of administration and secretary of health and environment, shall determine the amount of moneys received by the state that are identified as moneys from the federal government for aid to the state of Kansas for coronavirus relief as appropriated in the following acts that are eligible to be used for any such capital improvement projects, may be expended at the discretion of the state, in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: (1) The federal CARES act, public law 116-136; (2) the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123; (3) the federal families first coronavirus response act, public law 116-127; (4) the federal paycheck protection program and health care enhancement act, public law 116-139; (5) the federal consolidated appropriations act, 2021, public law 116-260; (6) the American rescue plan act of 2021, public law 117-2; and (7) any other federal law that appropriates moneys to the state for aid for coronavirus relief. Upon the

identification of such moneys, the director of the budget shall transfer such moneys into the special revenue fund or funds as determined to pay the portion of the costs of such capital improvement projects authorized by this section.

Sec. 62. (a) During the fiscal year ending June 30, 2021, subject to the provisions of K.S.A. 2020 Supp. 32-833, and amendments thereto, the secretary of wildlife, parks and tourism is hereby authorized to acquire by purchase a portion of the Southwest Quarter of Section 05 and a portion of the West Half of Section 08, Township 28 South, Range 09 West of the 6th Principal Meridian, Kingman County, Kansas, more particularly described as:

Commencing at the Southwest Corner of the Southwest Quarter of Section 05, Township 28 South, Range 09 West of the 6th Principal Meridian; thence with a bearing of North 02°07'11" West (basis of bearing is NAD 83 Kansas South Zone) along the West line of said Southwest Quarter 852.00 feet for the point of beginning; thence continuing North 02°07'11" West along the West line of said Southwest Quarter 1,792.50 feet to the Northwest corner of the Southwest Quarter of said Section 05; thence South 89°58'03" East along the North line of said Southwest Quarter 2,626.15 feet to the Northeast corner of said Southwest Quarter; thence South 01°18'12" East along the East line of said Southwest Quarter 2,642.55 feet to the Northwest corner of the Northeast Quarter of Section 08, Township 28 South, Range 09 West; thence South 89°59'10" East along the North line of said Northeast Quarter 1,293.93 feet to the Northeast corner of the Northwest Quarter of said Northeast Quarter; thence South 00°31'01" East along the East line of the West Half of said Northeast Quarter 1,995.13 feet to the Northwest corner of the South Half of the Southeast Quarter of said Northeast Quarter of said Section 08; thence South 89°57'50" East along the North line of the South Half of the Southeast Quarter of said Northeast Quarter 1,298.11 feet to the Northeast corner of the South Half of the Southeast Quarter of said Northeast Quarter; thence South 00°37'39" East along the East line of the South Half of the Southeast Quarter of said Northeast Quarter 665.22 feet to the Northeast corner of the Southeast Quarter of said Section 08; thence South 00°38'05" East along the East line of said Southeast Quarter 2,661.12 feet to the Southeast corner of said Southeast Quarter; thence North 89°55'39" West along the South line of said Southeast Quarter 1,304.87 feet to the Southwest corner of the Southeast Quarter of said Southeast Quarter; thence North 00°31'01" West along the West line of the Southeast Quarter of said Southeast Quarter 1,330.21 feet; thence North 89°56'32" West along the South line of the Northwest Quarter of said Southeast Quarter 1,302.13 feet to the Southwest corner of the Northwest Quarter of said Southeast Quarter; thence continuing North 89°56'32" West along the South line of the North Half of the Southwest Quarter of said Section 08 a distance of 2,214.43 feet to a point that is 390.01 feet East of the Southwest corner of the North Half of said Southwest Quarter; thence North 00°10'14" West parallel with the West line of said Southwest Quarter 309.73 feet; thence South 89°49'45" West 390.00 feet to the West line of said Southwest Quarter; thence North 00°10'14" West 537.00 feet to a point that is 484.00 feet South of the Northwest corner of said Southwest Quarter; thence South 89°57'23" East 400.51 feet; thence North 26°42'54" East 523.05 feet; thence North 46°19'16" East 947.98 feet; thence North 60°03'35" East 364.25 feet; thence North 00°44'32" East 1,838.40 feet to the North line of the Northwest Quarter of said Section 08; thence North 54°39'38" West 1,472.49 feet;

thence North 89°59'07" West parallel with the South line of the Southwest Quarter of Section 05 a distance of 500.35 feet to the point of beginning, containing 493.791 Acres, subject to a Road Right-of-way easement across the West 30.00 feet thereof and any other easements or restrictions of record.

(b) The provisions of K.S.A. 75-3739, and amendments thereto, shall not apply to the acquisition authorized by this section or any contracts required therefor.

(c) In the event that the secretary of wildlife, parks and tourism determines that the legal description of the parcel described by this section is incorrect, the secretary of wildlife, parks and tourism may purchase the property utilizing the correct legal description.

Sec. 63.

#### STATE FINANCE COUNCIL

(a) During the fiscal year ending June 30, 2022, for any expenditure requested to be made from or obligation requested to be incurred against any federal grant or other federal receipt of moneys from the federal government received by the state of Kansas for aid for coronavirus relief for which state finance council authorization is required, no such authorization shall be granted without recommendation from the strengthening people and revitalizing Kansas executive committee: *Provided*, That the strengthening people and revitalizing Kansas executive committee shall meet and review each such request and shall report such executive committee's recommendation to the state finance council: *Provided further*, That the membership of such executive committee shall consist of seven individuals, including a chairperson appointed by the governor, one public sector individual appointed by the governor, one private sector individual appointed by the governor, the president of the senate or the president's designee, one private sector individual appointed by the president of the senate, the speaker of the house of representatives or the speaker's designee and one private sector individual appointed by the speaker of the house of representatives.

Sec. 64. K.S.A. 2020 Supp. 17-12a601 is hereby amended to read as follows: 17-12a601. (a) *Administration*. (1) This act shall be administered by the securities commissioner of Kansas.

(2) All fees herein provided for shall be collected by the administrator. All salaries and expenses necessarily incurred in the administration of this act shall be paid from the securities act fee fund.

(3) The administrator shall remit all moneys received from all fees, charges, deposits or penalties which have been collected under this act or other laws of this state regulating the issuance, sale or disposal of securities or regulating dealers in this state to the state treasurer at least monthly. Upon receipt of any such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury. In accordance with K.S.A. 75-3170a, and amendments thereto, 10% of each such deposit shall be credited to the state general fund and, except as provided in subsection (d), the balance shall be credited to the securities act fee fund.

(4) Except as provided further, on the last day of each fiscal year, the director of accounts and reports shall transfer from the securities act fee fund to the state general fund any remaining unencumbered amount in the securities act fee fund exceeding

\$50,000 so that the beginning unencumbered balance in the securities act fee fund on the first day of each fiscal year is \$50,000. During the fiscal years ending June 30, 2021, and June 30, 2022, no moneys shall be transferred from the securities act fee fund to the state general fund pursuant to this paragraph. All expenditures from the securities act fee 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 administrator or by a person or persons designated by the administrator.

(5) All amounts transferred from the securities act fee fund to the state general fund under paragraph (4) are to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(b) *Prohibited conduct.* (1) It is unlawful for the administrator or an officer, employee, or designee of the administrator to use for personal benefit or the benefit of others records or other information obtained by or filed with the administrator that are not public under K.S.A. 17-12a607(b), and amendments thereto. This act does not authorize the administrator or an officer, employee, or designee of the administrator to disclose the record or information, except in accordance with K.S.A. 17-12a602, 17-12a607(c), or 17-12a608, and amendments thereto.

(2) Neither the administrator nor any employee of the administrator shall be interested as an officer, director, or stockholder in securing any authorization to sell securities under the provisions of this act.

(c) *No privilege or exemption created or diminished.* This act does not create or diminish a privilege or exemption that exists at common law, by statute or rule, or otherwise.

(d) *Investor education and protection.* (1) The administrator may develop and implement investor education and protection initiatives to inform the public about investing in securities and protect the public from violations of the Kansas uniform securities act, K.S.A. 17-12a101 et seq., and amendments thereto. Such initiatives shall have a particular emphasis on the prevention, detection, enforcement and prosecution of securities fraud. In developing and implementing these initiatives, the administrator may collaborate with public and nonprofit organizations with an interest in investor education or protection. The administrator may accept a grant or donation from a person that is not affiliated with the securities industry or from a nonprofit organization, regardless of whether the organization is affiliated with the securities industry, to develop and implement investor education and protection initiatives. This subsection does not authorize the administrator to require participation or monetary contributions of a registrant in an investor education program.

(2) There is hereby established in the state treasury the investor education and protection fund. Such fund shall be administered by the administrator for the purposes described in subsection (d)(1) and for the education of registrants, including official hospitality. Moneys collected as civil penalties under this act shall be credited to the investor education and protection fund. The administrator may also receive payments designated to be credited to the investor education and protection fund as a condition in settlements of cases arising out of investigations or examinations. All expenditures from the investor education and protection 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 administrator or by a person or persons designated by the administrator.

Sec. 65. K.S.A. 74-4920 is hereby amended to read as follows: 74-4920. (1) (a) Upon the basis of each annual actuarial valuation and appraisal as provided for in K.S.A. 74-4908(3)(a), and amendments thereto, the board shall certify, on or before July 15 of each year, to the division of the budget in the case of the state and to the agent for each other participating employer an actuarially determined estimate of the rate of contribution which will be required, together with all accumulated contributions and other assets of the system, to be paid by each such participating employer to pay all liabilities which shall exist or accrue under the system, including amortization of the actuarial accrued liability as determined by the board. The board shall determine the actuarial cost method to be used in annual actuarial valuations, to determine the employer contribution rates that shall be certified by the board. Such certified rate of contribution, amortization methods and periods and actuarial cost method shall be based on the standards set forth in K.S.A. 74-4908(3)(a), and amendments thereto, and shall not be based on any other purpose outside of the needs of the system.

(b) (i) For employers affiliating on and after January 1, 1999, upon the basis of an annual actuarial valuation and appraisal of the system conducted in the manner provided for in K.S.A. 74-4908, and amendments thereto, the board shall certify, on or before July 15 of each year to each such employer an actuarially determined estimate of the rate of contribution which shall be required to be paid by each such employer to pay all of the liabilities which shall accrue under the system from and after the entry date as determined by the board, upon recommendation of the actuary. Such rate shall be termed the employer's participating service contribution and shall be uniform for all participating employers. Such additional liability shall be amortized as determined by the board. For all participating employers described in this section, the board shall determine the actuarial cost method to be used in annual actuarial valuations to determine the employer contribution rates that shall be certified by the board.

(ii) The board shall determine for each such employer separately an amount sufficient to amortize all liabilities for prior service costs which shall have accrued at the time of entry into the system. On the basis of such determination the board shall annually certify to each such employer separately an actuarially determined estimate of the rate of contribution which shall be required to be paid by that employer to pay all of the liabilities for such prior service costs. Such rate shall be termed the employer's prior service contribution.

(2) The division of the budget and the governor shall include in the budget and in the budget request for appropriations for personal services the sum required to satisfy the state's obligation under this act as certified by the board and shall present the same to the legislature for allowance and appropriation.

(3) Each other participating employer shall appropriate and pay to the system a sum sufficient to satisfy the obligation under this act as certified by the board.

(4) Each participating employer is hereby authorized to pay the employer's contribution from the same fund that the compensation for which such contribution is made is paid from or from any other funds available to it for such purpose. Each political subdivision, other than an instrumentality of the state, which is by law authorized to levy taxes for other purposes, may levy annually at the time of its levy of

taxes, a tax which may be in addition to all other taxes authorized by law for the purpose of making its contributions under this act and, in the case of cities and counties, to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774, and amendments thereto, by cities located in the county, which tax, together with any other fund available, shall be sufficient to enable it to make such contribution. In lieu of levying the tax authorized in this subsection, any taxing subdivision may pay such costs from any employee benefits contribution fund established pursuant to K.S.A. 12-16,102, and amendments thereto. Each participating employer which is not by law authorized to levy taxes as described above, but which prepares a budget for its expenses for the ensuing year and presents the same to a governing body which is authorized by law to levy taxes as described above, may include in its budget an amount sufficient to make its contributions under this act which may be in addition to all other taxes authorized by law. Such governing body to which the budget is submitted for approval, may levy a tax sufficient to allow the participating employer to make its contributions under this act, which tax, together with any other fund available, shall be sufficient to enable the participating employer to make the contributions required by this act.

(5) (a) The rate of contribution certified to a participating employer as provided in this section shall apply during the fiscal year of the participating employer which begins in the second calendar year following the year of the actuarial valuation.

(b) (i) Except as specifically provided in this section, for fiscal years commencing in calendar year 1996 and in each subsequent calendar year, the rate of contribution certified to the state of Kansas shall in no event exceed the state's contribution rate for the immediately preceding fiscal year by more than 0.2% of the amount of compensation upon which members contribute during the period.

(ii) Except as specifically provided in this subsection, for the fiscal years commencing in the following calendar years, the rate of contribution certified to the state of Kansas and to the participating employers under K.S.A. 74-4931, and amendments thereto, shall in no event exceed the state's contribution rate for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which members contribute during the period: (A) For the fiscal year commencing in calendar years 2010 through 2012, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (B) for the fiscal year commencing in calendar year 2013, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (C) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (D) for the fiscal year commencing in calendar year 2015, the employer rate of contribution shall be 10.91%; (E) for the fiscal year commencing in calendar year 2016, the employer rate of contribution shall be 10.81%, except as provided by section 37(b) of chapter 54 of 2017 Session Laws of Kansas, and amendments thereto, for the participating employers under K.S.A. 74-4931, and amendments thereto; (F) for the fiscal year commencing in calendar year 2017, the employer rate of contribution shall be 12.01% and for participating employers under K.S.A. 74-4931, and amendments thereto, an additional percentage of compensation corresponding to the level dollar repayment amount certified by the board pursuant to subsection (17); ~~and~~ (G) for the fiscal year commencing in calendar year 2021, the employer rate of contribution shall be 13.33%; (H) for the fiscal year

commencing in calendar year 2022, the employer rate of contribution shall be 13.11%; and (l) in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year and for participating employers under K.S.A. 74-4931, and amendments thereto, an additional percentage of compensation corresponding to the level dollar repayment amount certified by the board pursuant to subsections (17) and (18).

(iii) Except as specifically provided in this section, for fiscal years commencing in calendar year 1997 and in each subsequent calendar year, the rate of contribution certified to participating employers other than the state of Kansas shall in no event exceed such participating employer's contribution rate for the immediately preceding fiscal year by more than 0.15% of the amount of compensation upon which members contribute during the period.

(iv) Except as specifically provided in this subsection, for the fiscal years commencing in the following calendar years, the rate of contribution certified to participating employers other than the state of Kansas shall in no event exceed the contribution rate for such employers for the immediately preceding fiscal year by more than the following amounts expressed as a percentage of compensation upon which members contribute during the period: (A) For the fiscal year commencing in calendar years 2010 through 2013, an amount not to exceed more than 0.6% of the amount of the immediately preceding fiscal year; (B) for the fiscal year commencing in calendar year 2014, an amount not to exceed more than 0.9% of the amount of the immediately preceding fiscal year; (C) for the fiscal year commencing in calendar year 2015, an amount not to exceed more than 1% of the amount of the immediately preceding fiscal year; (D) for the fiscal year commencing in calendar year 2016, an amount not to exceed more than 1.1% of the amount of the immediately preceding fiscal year; and (E) for the fiscal year commencing in calendar year 2017, and in each subsequent calendar year, an amount not to exceed more than 1.2% of the amount of the immediately preceding fiscal year.

(v) As part of the annual actuarial valuation, there shall be a separate employer rate of contribution calculated for the state of Kansas, a separate employer rate of contribution calculated for participating employers under K.S.A. 74-4931, and amendments thereto, a combined employer rate of contribution calculated for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, and a separate employer rate of contribution calculated for all other participating employers.

(vi) There shall be a combined employer rate of contribution certified to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto. There shall be a separate employer rate of contribution certified to all other participating employers.

(vii) If the combined employer rate of contribution calculated for the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, is greater than the separate employer rate of contribution for the state of Kansas, the difference in the two rates applied to the actual payroll of the state of Kansas for the applicable fiscal year shall be calculated. This amount shall be certified by the board for deposit as additional employer contributions to the retirement benefit accumulation reserve for the participating employers under K.S.A. 74-4931, and amendments thereto.

(6) The actuarial cost of any legislation enacted in the 1994 session of the Kansas

legislature will be included in the June 30, 1994, actuarial valuation in determining contribution rates for participating employers.

(7) The actuarial cost of the provisions of K.S.A. 74-4950i, and amendments thereto, will be included in the June 30, 1998, actuarial valuation in determining contribution rates for participating employers. The actuarial accrued liability incurred for the provisions of K.S.A. 74-4950i, and amendments thereto, shall be amortized over 15 years.

(8) Except as otherwise provided by law, the actuarial cost of any legislation enacted by the Kansas legislature, except the actuarial cost of K.S.A. 74-49,114a, and amendments thereto, shall be in addition to the employer contribution rates certified for the employer contribution rate in the fiscal year immediately following such enactment. Such actuarial cost shall be determined by the qualified actuary employed or retained by the system pursuant to K.S.A. 74-4908, and amendments thereto, and reported to the system and the joint committee on pensions, investments and benefits.

(9) Notwithstanding the provisions of subsection (8), the actuarial cost of the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be first reflected in employer contribution rates effective with the first day of the first payroll period for the fiscal year 2005. The actuarial accrued liability incurred for the provisions of K.S.A. 74-49,109 et seq., and amendments thereto, shall be amortized over 10 years.

(10) The cost of the postretirement benefit payment provided pursuant to the provisions of K.S.A. 74-49,114b, and amendments thereto, for retirants other than local retirants as described in subsection (11) or insured disability benefit recipients shall be paid in the fiscal year commencing on July 1, 2007.

(11) The actuarial accrued liability incurred for the provisions of K.S.A. 74-49,114b, and amendments thereto, for the KPERS local group and retirants who were employees of local employers which affiliated with the Kansas police and firemen's retirement system shall be amortized over 10 years.

(12) The cost of the postretirement benefit payment provided pursuant to the provisions of K.S.A. 74-49,114c, and amendments thereto, for retirants other than local retirants as described in subsection (13) or insured disability benefit recipients shall be paid in the fiscal year commencing on July 1, 2008.

(13) The actuarial accrued liability incurred for the provisions of K.S.A. 74-49,114c, and amendments thereto, for the KPERS local group and retirants who were employees of local employers which affiliated with the Kansas police and firemen's retirement system shall be amortized over 10 years.

(14) The board with the advice of the actuary may fix the contribution rates for participating employers joining the system after one year from the first entry date or for employers who exercise the option contained in K.S.A. 74-4912, and amendments thereto, at rates different from the rate fixed for employers joining within one year of the first entry date.

(15) Employer contributions shall in no way be limited by any other act which now or in the future establishes or limits the compensation of any member.

(16) Notwithstanding any provision of law to the contrary, each participating employer shall remit quarterly, or as the board may otherwise provide, all employee deductions and required employer contributions to the executive director for credit to the Kansas public employees retirement fund within three days after the end of the period covered by the remittance by electronic funds transfer. Remittances of such

deductions and contributions received after such date are delinquent. Delinquent payments due under this subsection shall be subject to interest at the rate established for interest on judgments under K.S.A. 16-204(a), and amendments thereto. At the request of the board, delinquent payments which are due or interest owed on such payments, or both, may be deducted from any other moneys payable to such employer by any department or agency of the state.

(17) The actuarial cost of the reduction of employer contributions for eligible employers as specified in K.S.A. 74-4931(1), (2) and (3), and amendments thereto, pursuant to the provisions of section 37 of chapter 54 of the 2017 session laws of Kansas, and amendments thereto, shall be amortized over 20 years as a level dollar amount, as certified by the board upon recommendation of the consulting actuary, through an additional percentage of compensation for participating employers under K.S.A. 74-4931, and amendments thereto. This additional percentage of compensation shall first be reflected in employer contribution rates for participating employers under K.S.A. 74-4931, and amendments thereto, effective on the first day of the first payroll period for the fiscal year 2018.

(18) The actuarial cost of \$194,022,683 shall be amortized over 20 years as a level dollar amount, as certified by the board upon recommendation of the consulting actuary, through an additional percentage of compensation for participating employers under K.S.A. 74-4931, and amendments thereto. This additional percentage of compensation shall first be reflected in employer contribution rates for participating employers under K.S.A. 74-4931, and amendments thereto, effective on the first day of the first payroll period for the fiscal year 2020.

Sec. 66. *Severability.* If any provision or clause of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 67. *Appeals to exceed expenditure limitations.* (a) Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

(b) This section shall not apply to the expanded lottery act revenues fund, the state economic development initiatives fund, the children's initiatives fund, the state water plan fund or the Kansas endowment for youth fund, or to any account of any of such funds.

Sec. 68. If any fund or account name described by words and the numerical accounting code that follows such fund or account name do not match, it shall be conclusively presumed that the legislature intended that the fund or account name described by words is the correct fund or account name, and such fund or account name described by words shall control over a contradictory or incorrect numerical accounting code.

Sec. 69. K.S.A. 74-4920 and K.S.A. 2020 Supp. 17-12a601 are hereby repealed.";

And by renumbering remaining sections accordingly;

On page 1, in the title, in line 1, by striking all after "ACT"; by striking all in

lines 2 through 3; in line 4, by striking all before the period and inserting "making and concerning appropriations for the fiscal years ending June 30, 2021, June 30, 2022, and June 30, 2023, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 74-4920 and K.S.A. 2020 Supp. 17-12a601 and repealing the existing sections";  
 And your committee on conference recommends the adoption of this report.

TROY WAYMASTER

KYLE HOFFMAN

KATHY WOLFE MOORE

*Conferees on part of House*

RICK BILLINGER

J.R. CLAEYS

TOM HAWK

*Conferees on part of Senate*

On motion of Rep. Waymaster, the conference committee report on **SB 159** was adopted.

On roll call, the vote was: Yeas 98; Nays 21; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Amyx, Anderson, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Ellis, Eplee, Esau, Estes, Featherston, Finch, Francis, Gartner, Haswood, Hawkins, Henderson, Highberger, Hoffman, Hoheisel, Howe, Hoye, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Long, Lynn, Mason, Minnix, Moser, Neelly, Neighbor, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Arnberger, Baker, Burris, Donohoe, Fairchild, Finney, French, Garber, Helgerson, Highland, Houser, Jacobs, Landwehr, Lee-Hahn, Miller, Murphy, Proctor, Rhiley, Samsel, Smith, A., Waggoner.

Present but not voting: None.

Absent or not voting: Awerkamp, Helmer, Howard, Huebert, Newland, Victors.

#### EXPLANATIONS OF VOTE

MR. SPEAKER: I vote no on **SB 159**. I believe this budget increases spending by too large of an amount, and I also oppose giving judges a 10% pay increase over the next two years. We have an activist State Supreme Court which created a right to abortion, and I don't believe we should reward them for that. Instead, I believe that we should stand for life and stand up to the Kansas Supreme Court. — BRETT FAIRCHILD

MR. SPEAKER: I am voting no on **SB 159**. Is the irony lost on anyone else that the very judges salaries that we are increasing as a "good job" are the same judges that have

stepped all over our toes with massive education funding? This is a huge reason we cannot get control of our state's budget and over-spending. The judicial branch has infringed on the legislative branch as the keeper of the purse strings. We can't reward that. – TATUM LEE-HAHN, PAT PROCTOR

MR. SPEAKER: I appreciate the hard work and good work of our members serving on Appropriations and particularly those serving on the conference committee. I very much appreciate the long overdue salary and wage enhancements for those serving in our Judicial Branch. I vote NO on **SB 159**, however, because the rest of our state employees are also deserving of, but are not receiving, a pay raise. Thank you. – VIC MILLER

MR. SPEAKER: I vote “No” on **SB 159**, I will not support spending the people’s money by expanding government programs and giving judges more money when so many Kansas families are struggling to pay day-to-day bills just to keep the lights on and food on the table. I refuse to give more of my hard-earned money to government that has an endless appetite for spending with no true results for the great people of Kansas. “The real goal should be reduced government spending, rather than balanced budgets achieved by ever rising tax rates to cover ever rising spending.” Thomas Sowell – DAVID W. FRENCH, BILL RHILEY, TREVOR JACOBS, RANDY GARBER

MR. SPEAKER, I VOTE YES ON **SB 159**. I appreciate the work that was put into this bill from both sides, but this is not a perfect bill. It’s vitally important that we give raises to our state employees. We have been pushing this off for years and our state employee wages are no longer competitive. If we continue to push this off, we’ll run into larger staffing issues of our vital offices. State employees are one of the most important backbones of this state, especially this Legislature. I strongly hope we will take up and address this issue in the next session. Thank you, Mr. Speaker. – TOM SAWYER, STEPHANIE CLAYTON, JO ELLA HOYE, RUI XU, CINDY NEIGHBOR, SUSAN RUIZ, AARON COLEMAN, ANNIE KUETHER, JIM GARTNER, MIKE AMYX, STEPHANIE M. BYERS, MARI-LYNN POSKIN, LINDA FEATHERSTON, LINDSAY VAUGHN, JENNIFER DAY, ELIZABETH BISHOP, BRODERICK HENDERSON, JOHN ALCALA, PAM CURTIS

On motion of Rep. Hawkins, the House recessed until 4:10 p.m.

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#### LATE AFTERNOON SESSION

The House met pursuant to recess with Speaker pro tem Finch in the chair.

#### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hawkins, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2137, 2224**.

#### MOTIONS TO CONCUR AND NONCONCUR

On motion of Rep. Landwehr, the House concurred in Senate amendments to **HB 2224**, AN ACT concerning public health; relating to infectious disease testing; crimes in which bodily fluids may have been transmitted from one person to another; expanding

the definition of infectious disease; amending K.S.A. 65-6009 and K.S.A. 2020 Supp. 65-6001 and repealing the existing sections.

(The House requested the Senate to return the bill, which was in conference).

On roll call, the vote was: Yeas 112; Nays 7; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcala, Amyx, Anderson, Arnberger, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, French, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howe, Hoyer, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burris, Fairchild, Houser, Jacobs, Lee-Hahn, Rhiley, Samsel.

Present but not voting: None.

Absent or not voting: Awerkamp, Garber, Howard, Huebert, Newland, Victors.

## CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2137** submits the following report:

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

On page 1, following line 12, by inserting:

"New Section 1. (a) Before making or causing any shipment of alcoholic liquor to Kansas residents, a fulfillment house shall pay a \$50 license fee and obtain such license that will be applicable for each location that is involved in the shipping process to Kansas residents. A fulfillment house license shall commence on the date specified on the license and expire two years after such date. The holder of a fulfillment house license may only provide services for the warehousing, packaging and shipping of alcoholic liquors produced by, and belonging to, a special order shipping licensee in accordance with K.S.A. 41-350, and amendments thereto. A fulfillment house licensee shall make reasonable efforts to confirm that any winery that they ship alcoholic liquor for holds a special order shipping license and may rely on the representations of each such winery for such assurance.

(b) As part of a fulfillment house license application, the applicant shall provide any information as required by rules and regulations adopted by the director and contained in the fulfillment house license application form established by the director.

(c) If the holder of the license is an out-of-state entity, the licensee shall be deemed to have appointed the secretary of state as the resident agent and representative of the licensee to accept service of process from the secretary of revenue, the director and the

courts of this state concerning enforcement of this section, K.S.A. 41-501 et seq., and amendments thereto, and any rules and regulations adopted thereunder and to accept service of any notice or order provided for in the liquor control act.

(d) (1) A fulfillment house licensee shall ensure all containers of alcoholic liquors shipped directly to an individual in this state are labeled with the name, address and license number of the fulfillment house licensee. All such containers shall contain a conspicuously printed statement of "SIGNATURE OF PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY".

(2) All containers of alcoholic liquors shipped directly to a resident of this state shall be shipped using a common carrier pursuant to K.S.A. 41-725, and amendments thereto.

(e) (1) A fulfillment house licensee shall:

(A) Maintain records of all shipments for a minimum of three years after the shipment date, that shall include the:

- (i) Name, address and license number of the special order shipping licensee;
- (ii) name and license number of the express company or common carrier;
- (iii) date of each shipment;
- (iv) carrier tracking number;
- (v) name and address of the consignee of such alcoholic liquors; and
- (vi) weight of the package and product type of alcoholic liquors shipped.

(B) Submit these records as an electronic report to the director monthly in the form and format prescribed by the director.

(2) Reports submitted pursuant to this subsection shall be open records available for public inspection in accordance with the open records act. Any information relating to the name or address of a consignee of any alcoholic liquors shall be redacted from the reports that are made available for public inspection. The provisions of this paragraph providing for the confidentiality of certain public records shall expire on July 1, 2026, unless the legislature reviews and reenacts such provisions in accordance with K.S.A. 45-229, and amendments thereto, prior to July 1, 2026.

(f) A fulfillment house that willfully fails, neglects or refuses to file any report pursuant to subsection (e) shall be subject to a civil penalty of not more than \$100. After notice and an opportunity for hearing in accordance with the Kansas administrative procedure act, the director may refuse to issue or renew or may revoke a fulfillment house license upon a finding that the licensee has failed to comply with any provision of this section.

(g) The secretary of revenue shall adopt rules and regulations to implement, administer and enforce the provisions of this section.

(h) The provisions of this section shall be a part of and supplemental to the Kansas liquor control act.

Sec. 2. K.S.A. 2020 Supp. 41-102 is hereby amended to read as follows: 41-102.

As used in this act, unless the context clearly requires otherwise:

(a) "Alcohol" means the product of distillation of any fermented liquid, whether rectified or diluted, whatever its origin, and includes synthetic ethyl alcohol but does not include denatured alcohol or wood alcohol.

(b) "Alcoholic candy" means:

(1) For purposes of manufacturing, any candy or other confectionery product with an alcohol content greater than 0.5% alcohol by volume; and

(2) for purposes of sale at retail, any candy or other confectionery product with an alcohol content greater than 1% alcohol by volume.

(c) "Alcoholic liquor" means alcohol, spirits, wine, beer, alcoholic candy and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed by a human being, but shall not include any cereal malt beverage.

(d) "Beer" means a beverage, containing more than 3.2% alcohol by weight, obtained by alcoholic fermentation of an infusion or concoction of barley, or other grain, malt and hops in water and includes beer, ale, stout, lager beer, porter and similar beverages having such alcoholic content.

(e) "Caterer" ~~has the meaning provided~~ means the same as defined by K.S.A. 41-2601, and amendments thereto.

(f) "Cereal malt beverage" ~~has the meaning provided~~ means the same as defined by K.S.A. 41-2701, and amendments thereto.

(g) "Club" ~~has the meaning provided~~ means the same as defined by K.S.A. 41-2601, and amendments thereto.

(h) "Director" means the director of alcoholic beverage control of the department of revenue.

(i) "Distributor" means the person importing or causing to be imported into the state, or purchasing or causing to be purchased within the state, alcoholic liquor for sale or resale to retailers licensed under this act or cereal malt beverage for sale or resale to retailers licensed under K.S.A. 41-2702, and amendments thereto.

(j) "Domestic beer" means beer which contains not more than 15% alcohol by weight and which is manufactured in this state.

(k) "Domestic fortified wine" means wine which contains more than 14%, but not more than 20% alcohol by volume and which is manufactured in this state.

(l) "Domestic table wine" means wine which contains not more than 14% alcohol by volume and which is manufactured without rectification or fortification in this state.

(m) "Drinking establishment" ~~has the meaning provided~~ means the same as defined by K.S.A. 41-2601, and amendments thereto.

(n) "Farm winery" means a winery licensed by the director to manufacture, store and sell domestic table wine and domestic fortified wine.

(o) "Fulfillment house" means any location or facility for any in-state or out-of-state entity that handles logistics, including warehousing, packaging, order fulfillment or shipping services on behalf of the holder of a special order shipping license issued pursuant to K.S.A. 41-350, and amendments thereto.

(p) "Hard cider" means any alcoholic beverage that:

(1) Contains less than 8.5% alcohol by volume;

(2) has a carbonation level that does not exceed 6.4 grams per liter; and

(3) is obtained by the normal alcoholic fermentation of the juice of sound, ripe apples or pears, including such beverages containing sugar added for the purpose of

correcting natural deficiencies.

~~(p)~~(q) "Manufacture" means to distill, rectify, ferment, brew, make, mix, concoct, process, blend, bottle or fill an original package with any alcoholic liquor, beer or cereal malt beverage.

~~(q)~~(r) (1) "Manufacturer" means every brewer, fermenter, distiller, rectifier, wine maker, blender, processor, bottler or person who fills or refills an original package and others engaged in brewing, fermenting, distilling, rectifying or bottling alcoholic liquor, beer or cereal malt beverage.

(2) "Manufacturer" does not include a microbrewery, microdistillery or a farm winery.

~~(r)~~(s) "Microbrewery" means a brewery licensed by the director to manufacture, store and sell domestic beer and hard cider.

~~(s)~~(t) "Microdistillery" means a facility which produces spirits from any source or substance that is licensed by the director to manufacture, store and sell spirits.

~~(t)~~(u) "Minor" means any person under 21 years of age.

~~(u)~~(v) "Nonbeverage user" means any manufacturer of any of the products set forth and described in K.S.A. 41-501, and amendments thereto, when the products contain alcohol or wine, and all laboratories using alcohol for nonbeverage purposes.

~~(v)~~(w) "Original package" means any bottle, flask, jug, can, cask, barrel, keg, hogshhead or other receptacle or container whatsoever, used, corked or capped, sealed and labeled by the manufacturer of alcoholic liquor, to contain and to convey any alcoholic liquor. Original container does not include a sleeve.

~~(w)~~(x) "Person" means any natural person, corporation, partnership, trust or association.

~~(x)~~(y) "Powdered alcohol" means alcohol that is prepared in a powdered or crystal form for either direct use or for reconstitution in a nonalcoholic liquid.

~~(y)~~(z) "Primary American source of supply" means the manufacturer, the owner of alcoholic liquor at the time it becomes a marketable product or the manufacturer's or owner's exclusive agent who, if the alcoholic liquor cannot be secured directly from such manufacturer or owner by American wholesalers, is the source closest to such manufacturer or owner in the channel of commerce from which the product can be secured by American wholesalers.

~~(z)~~(aa) (1) "Retailer" means a person who is licensed under the Kansas liquor control act and sells at retail, or offers for sale at retail, alcoholic liquors or cereal malt beverages.

(2) "Retailer" does not include a microbrewery, microdistillery or a farm winery.

~~(aa)~~(bb) "Sale" means any transfer, exchange or barter in any manner or by any means whatsoever for a consideration and includes all sales made by any person, whether principal, proprietor, agent, servant or employee.

~~(bb)~~(cc) "Salesperson" means any natural person who:

(1) Procures or seeks to procure an order, bargain, contract or agreement for the sale of alcoholic liquor or cereal malt beverage; or

(2) is engaged in promoting the sale of alcoholic liquor or cereal malt beverage, or in promoting the business of any person, firm or corporation engaged in the manufacturing and selling of alcoholic liquor or cereal malt beverage, whether the seller resides within the state of Kansas and sells to licensed buyers within the state of Kansas, or whether the seller resides without the state of Kansas and sells to licensed

buyers within the state of Kansas.

~~(ee)~~(dd) "Sample" means a serving of alcoholic liquor that contains not more than: (1) One-half ounce of distilled spirits; (2) one ounce of wine; or (3) two ounces of beer or cereal malt beverage. A "sample" of a mixed alcoholic beverage shall contain not more than ½ ounce of distilled spirits.

~~(dd)~~(cc) "Secretary" means the secretary of revenue.

~~(ee)~~(ff) (1) "Sell at retail" and "sale at retail" refer to and mean sales for use or consumption and not for resale in any form and sales to clubs, licensed drinking establishments, licensed caterers or holders of temporary permits.

(2) "Sell at retail" and "sale at retail" do not refer to or mean sales by a distributor, a microbrewery, a farm winery, a licensed club, a licensed drinking establishment, a licensed caterer or a holder of a temporary permit.

~~(ff)~~(gg) "To sell" includes to solicit or receive an order for, to keep or expose for sale and to keep with intent to sell.

~~(gg)~~(hh) "Sleeve" means a package of two or more 50-milliliter or (3.2-fluid-ounce) containers of spirits.

~~(hh)~~(ii) "Spirits" means any beverage which contains alcohol obtained by distillation, mixed with water or other substance in solution, and includes brandy, rum, whiskey, gin or other spirituous liquors, and such liquors when rectified, blended or otherwise mixed with alcohol or other substances.

~~(ii)~~(jj) "Supplier" means a manufacturer of alcoholic liquor or cereal malt beverage or an agent of such manufacturer, other than a salesperson.

~~(jj)~~(kk) "Temporary permit" ~~has the meaning provided~~ means the same as defined by K.S.A. 41-2601, and amendments thereto.

~~(kk)~~(ll) "Wine" means any alcoholic beverage obtained by the normal alcoholic fermentation of the juice of sound, ripe grapes, fruits, berries or other agricultural products, including such beverages containing added alcohol or spirits or containing sugar added for the purpose of correcting natural deficiencies. ~~The term "Wine" shall include~~ includes hard cider and any other product that is commonly known as a subset of wine.";

On page 2, in line 23, by striking "and"; in line 27, after "sales" by inserting "; and

(8) sell containers of beer, domestic beer and cereal malt beverage that are sold on the licensed premises to consumers and served in refillable and sealable containers for consumption off the licensed premises if such containers:

(A) Contain between 32 and 64 fluid ounces; and

(B) have a label affixed that clearly indicates the licensee's name and the type of alcoholic beverage contained in such container";

Also, on page 2, following line 30, by inserting:

"Sec. 4. K.S.A. 2020 Supp. 41-308a is hereby amended to read as follows: 41-308a.

(a) A farm winery license shall allow:

(1) The manufacture of domestic table wine and domestic fortified wine in a quantity not exceeding 100,000 gallons per year and the storage thereof;

(2) the sale of wine, manufactured by the licensee, to licensed wine distributors, retailers, public venues, clubs, drinking establishments, holders of temporary permits as authorized by K.S.A. 2020 Supp. 41-1201, and amendments thereto, and caterers;

(3) the manufacture for and sale of wine to holders of producer licenses as authorized by K.S.A. 2020 Supp. 41-355, and amendments thereto. Wine manufactured

for a producer licensee shall be included in the farm winery licensee's annual production for purposes of subsection (c). The label for any such wine manufactured by the farm winery licensee, as filed with the alcohol and tobacco tax and trade bureau of the United States department of the treasury, may be owned by either the farm winery or the producer licensee for whom the wine was manufactured;

(4) the sale, on the licensed premises and at special events monitored and regulated by the division of alcoholic beverage control in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee;

(5) the serving free of charge on the licensed premises and at special events, monitored and regulated by the division of alcoholic beverage control, of samples of wine manufactured by the licensee or imported under subsection ~~(e)~~ (f), if the licensed premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments;

(6) the sale of wine manufactured by the licensee for consumption on the licensed premises, provided, the licensed premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments. Wine sold pursuant to this paragraph shall not be subject to the provisions of the club and drinking establishment act, K.S.A. 41-2601 et seq., and amendments thereto, and no drinking establishment license shall be required to make such sales;

(7) if the licensee is also licensed as a club or drinking establishment, the sale of domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the licensed premises as authorized by the club and drinking establishment act;

(8) if the licensee is also licensed as a caterer, the sale of domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the unlicensed premises as authorized by the club and drinking establishment act;

(9) the sale and shipping, in the original unopened container, to consumers outside this state of wine manufactured by the licensee, provided that the licensee complies with applicable laws and rules and regulations of the jurisdiction to which the wine is shipped; ~~and~~

(10) the sale and shipping of wine within this state pursuant to a permit issued pursuant to K.S.A. 2020 Supp. 41-350, and amendments thereto;

(11) the transfer or receipt of wine in a bulk container or packaged wine in bond to any bonded premises pursuant to 26 U.S.C. § 5362(b)(1) and 27 C.F.R. § 24.280 through 24.284, as in effect on July 1, 2021;

(12) the transfer or receipt of wine in a bulk container in bond to a distilled spirits plant for use in the manufacture of distilled spirits pursuant to 26 U.S.C. § 5362(b)(2), (b)(3) and (c)(6) and 27 C.F.R. § 24.280 through 24.290, as in effect on July 1, 2021;

(13) the receipt of distilled spirits in a bulk container pursuant to 26 U.S.C. § 5214(a)(5) and 27 C.F.R. § 19.402 through 19.407, as in effect on on July 1, 2021; and

(14) the production of fortified wine with the addition of wine spirits to domestic wine if the spirits added are produced from the same kind of fruit that was used to produce the wine pursuant to 26 U.S.C. § 5382(b)(2), as in effect on July 1, 2021.

(b) Upon application and payment of the fee prescribed by K.S.A. 41-310, and amendments thereto, by a farm winery licensee, the director may issue not to exceed three winery outlet licenses to the farm winery licensee. A winery outlet license shall allow:

(1) The sale, on the licensed premises and at special events monitored and regulated by the division of alcoholic beverage control in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee;

(2) the serving on the licensed premises of samples of wine manufactured by the licensee or imported under subsection ~~(e)~~ (f), if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments; and

(3) the manufacture of domestic table wine and domestic fortified wine and the storage thereof; provided, that the aggregate quantity of wine produced by the farm winery licensee, including all winery outlets, shall not exceed 100,000 gallons per year.

~~(c)~~ (1) Not less than 30% of the products utilized in the manufacture of domestic table wine and domestic fortified wine by a farm winery shall be grown in Kansas except when a lesser proportion is authorized by the director based upon the director's findings and judgment. The production requirement of this subsection shall be determined based on the annual production of domestic table wine and domestic fortified wine by the farm winery.

(2) On and after July 1, 2021, the percentage of products utilized in the manufacture of domestic table wine and domestic fortified wine by a farm winery required to be grown in Kansas shall be not less than 15%.

(3) The provisions of this subsection shall expire on January 1, 2023.

(d) A farm winery licensee may import wine from outside Kansas for use in the production of its domestic table wine and domestic fortified wine and shall report such imports on forms prescribed by the director.

~~(c)~~ (c) A farm winery or winery outlet may sell domestic wine and domestic fortified wine in the original unopened container to consumers for consumption off the licensed premises at any time between 6 a.m. and 12 midnight on any day. If authorized by subsection (a), a farm winery may serve samples of wine manufactured by the licensee and wine imported under subsection ~~(e)~~ (f) and serve and sell domestic wine, domestic fortified wine and other alcoholic liquor for consumption on the licensed premises at any time when a club or drinking establishment is authorized to serve and sell alcoholic liquor. If authorized by subsection (b), a winery outlet may serve samples of domestic wine, domestic fortified wine and wine imported under subsection ~~(e)~~ (f) at any time when the winery outlet is authorized to sell domestic wine and domestic fortified wine.

~~(e)~~ (f) The director may issue to the Kansas state fair or any bona fide group of grape growers or wine makers a permit to import into this state small quantities of wines. Such wine shall be used only for bona fide educational and scientific tasting programs and shall not be resold. Such wine shall not be subject to the tax imposed by K.S.A. 41-501, and amendments thereto. The permit shall identify specifically the brand and type of wine to be imported, the quantity to be imported, the tasting programs for which the wine is to be used and the times and locations of such programs. The secretary shall adopt rules and regulations governing the importation of wine pursuant to this subsection and the conduct of tasting programs for which such wine is imported.

~~(f)~~ (g) A farm winery license or winery outlet license shall apply only to the premises described in the application and in the license issued and only one location shall be described in the license.

~~(g)~~(h) No farm winery or winery outlet shall:

(1) Employ any person under the age of 18 years in connection with the manufacture, sale or serving of any alcoholic liquor;

(2) permit any employee of the licensee who is under the age of 21 years to work on the licensed premises at any time when not under the on-premise supervision of either the licensee or an employee of the licensee who is 21 years of age or over;

(3) employ any person under 21 years of age in connection with mixing or dispensing alcoholic liquor; ~~or~~

(4) employ any person in connection with the manufacture or sale of alcoholic liquor if the person has been convicted of a felony; or

(5) transfer wine in a bulk container to the premises of a brewery pursuant to 26 U.S.C. § 5411 and 27 C.F.R. § 25.23, as in effect on July 1, 2021.

~~(h)~~(i) Whenever a farm winery or winery outlet licensee is convicted of a violation of the Kansas liquor control act, the director may revoke the licensee's license and order forfeiture of all fees paid for the license, after a hearing before the director for that purpose in accordance with the provisions of the Kansas administrative procedure act.

~~(h)~~(j) For purposes of this section, the terms in subsections (a)(11) through (a)(14) and (h)(5), if not otherwise defined in K.S.A. 41-102, and amendments thereto, mean the same as such terms are defined in title 27, chapter I, subchapter A of the code of federal regulations, as in effect on July 1, 2021.

(k) This section shall be a part of and supplemental to the Kansas liquor control act.

Sec. 5. K.S.A. 2020 Supp. 41-308b is hereby amended to read as follows: 41-308b.

(a) A microbrewery license shall allow:

(1) The manufacture of not less than 100 nor more than 60,000 barrels of domestic beer during the calendar year and the storage thereof, if, however, the licensee holds a 10% or greater ownership interest in one or more entities that also hold a microbrewery license, then the aggregate number of barrels of domestic beer manufactured by all such licensees with such common ownership shall not exceed the 60,000 barrel limit;

(2) the manufacture in the aggregate of not more than 100,000 gallons of hard cider during the calendar year and the storage thereof;

(3) the sale to beer distributors of beer and the sale to wine distributors of hard cider, manufactured by the licensee;

(4) the sale, on the licensed premises in the original unopened container to consumers for consumption off the licensed premises, of beer and hard cider manufactured by the licensee;

(5) the sale, on the licensed premises in refillable and sealable containers to consumers for consumption off the licensed premises, of beer manufactured by the licensee, subject to the following conditions:

(A) Containers described in this paragraph shall contain not less than 32 fluid ounces and not more than 64 fluid ounces of beer; and

(B) The licensee shall affix a label to all containers sold pursuant to this paragraph clearly indicating the licensee's name and the name and type of beer contained in such container;

(6) the serving free of charge on the licensed premises and at special events, monitored and regulated by the division of alcoholic beverage control, of samples of beer and hard cider manufactured by the licensee, if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking

establishments;

(7) if the premises is also licensed as a club or drinking establishment, the sale and transfer of domestic beer to such club or drinking establishment and the sale of domestic beer and other alcoholic liquor for consumption on the licensed premises as authorized by the club and drinking establishment act;

(8) if the premises is also licensed as a caterer, the sale of domestic beer and other alcoholic liquor for consumption on unlicensed premises as authorized by the club and drinking establishment act;

(9) if the licensee holds a 10% or greater ownership interest in one or more entities that also hold a microbrewery license, the domestic beer may be manufactured and transferred for sale or storage among such microbrewery licensees with such common ownership; and

(10) the transfer of beer and hard cider manufactured by the licensee pursuant to a contract entered into in accordance with subsection (b) to the contracting microbrewery.

(b) (1) A microbrewery may contract with one or more microbreweries for the purpose of manufacturing beer or hard cider for such other microbreweries. A microbrewery located in this state may manufacture and package beer and hard cider for a microbrewery located within or outside of Kansas.

(2) A microbrewery manufacturing beer or hard cider for another microbrewery shall be responsible for complying with all federal and state laws dealing with the manufacturing of beer and hard cider, including labeling laws, and shall be responsible for the payment of all federal and state taxes on the beer and hard cider.

(3) Each party engaged in a contract brewing agreement must count the total amount of barrels and gallons manufactured as part of the agreement and include that total amount as part of their allowed aggregate total as provided in subsection (a).

(c) (1) Not less than 30% of the products utilized in the manufacture of hard cider by a microbrewery shall be grown in Kansas except when a lesser proportion is authorized by the director based upon the director's findings and judgment. The production requirement of this subsection shall be determined based on the annual production of domestic hard cider.

(2) On and after July 1, 2021, the percentage of products utilized in the manufacture of hard cider by a microbrewery required to be grown in Kansas shall be not less than 15%.

(3) The provisions of this subsection shall expire on January 1, 2023.

(d) Upon application and payment of the fee prescribed by K.S.A. 41-310, and amendments thereto, by a microbrewery licensee, the director may issue not to exceed one microbrewery packaging and warehousing facility license to the microbrewery licensee. A microbrewery packaging and warehousing facility license shall allow:

(1) The transfer, from the licensed premises of the microbrewery to the licensed premises of the microbrewery packaging and warehousing facility, of beer and hard cider manufactured by the licensee, for the purpose of packaging or storage, or both;

(2) the transfer, from the licensed premises of the microbrewery packaging and warehousing facility to the licensed premises of any microbrewery of such licensee, of beer manufactured by the licensee;

(3) the removal from the licensed premises of the microbrewery packaging and warehousing facility of beer manufactured by the licensee for the purpose of delivery to a licensed beer wholesaler; and

(4) the removal from the licensed premises of the microbrewery packaging and warehousing facility of hard cider manufactured by the licensee for the purpose of delivery to a licensed wine distributor.

(e) A microbrewery may sell domestic beer in the original unopened container to consumers for consumption off the licensed premises at any time between 6 a.m. and 12 midnight on any day. If authorized by subsection (a), a microbrewery may serve samples of domestic beer and serve and sell domestic beer and other alcoholic liquor for consumption on the licensed premises at any time when a club or drinking establishment is authorized to serve and sell alcoholic liquor.

(f) The director may issue to the Kansas state fair or any bona fide group of brewers a permit to import into this state small quantities of beer. Such beer shall be used only for bona fide educational and scientific tasting programs and shall not be resold. Such beer shall not be subject to the tax imposed by K.S.A. 41-501, and amendments thereto. The permit shall identify specifically the brand and type of beer to be imported, the quantity to be imported, the tasting programs for which the beer is to be used and the times and locations of such programs. The secretary shall adopt rules and regulations governing the importation of beer pursuant to this subsection and the conduct of tasting programs for which such beer is imported.

(g) A microbrewery license or microbrewery packaging and warehousing facility license shall apply only to the premises described in the application and in the license issued and only one location shall be described in the license.

(h) No microbrewery shall:

(1) Employ any person under the age of 18 years in connection with the manufacture, sale or serving of any alcoholic liquor;

(2) permit any employee of the licensee who is under the age of 21 years to work on the licensed premises at any time when not under the on-premises supervision of either the licensee or an employee of the licensee who is 21 years of age or over;

(3) employ any person under 21 years of age in connection with mixing or dispensing alcoholic liquor; or

(4) employ any person in connection with the manufacture or sale of alcoholic liquor if the person has been convicted of a felony.

(i) Whenever a microbrewery licensee is convicted of a violation of the Kansas liquor control act, the director may revoke the licensee's license and all fees paid for the license in accordance with the Kansas administrative procedure act.;

On page 3, in line 30, by striking ", residence"; in line 31, by striking "subsection (a) (12)" and inserting "paragraph"; in line 33, by striking all after "officer"; in line 34, by striking all before the semicolon; in line 36, by striking "which" and inserting "that"; in line 43, by striking "which" and inserting "that";

On page 4, in line 3, by striking all after "(1)"; by striking all in lines 4 and 5; in line 6, by striking "(3)"; in line 26, by striking "and residence"; in line 27, by striking all after "copartners"; by striking all in lines 28 and 29; in line 30, after "be" by inserting "individually"; in line 34, after the semicolon by inserting "or"; in line 35, by striking all after "(4)"; by striking all in lines 36 and 37; in line 38, by striking "(6)";

On page 5, in line 42, by striking all after "(1)"; in line 43, by striking "(2)";

On page 6, in line 3, by striking "which" and inserting "that"; in line 19, by striking all after "(g)"; by striking all in lines 20 and 21; in line 22, by striking all before "if"; also in line 22, after "applicant" by inserting "is not a Kansas resident, no license shall

be issued until the applicant";

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

On page 7, following line 5, by inserting:

"Sec. 7. K.S.A. 2020 Supp. 41-311b is hereby amended to read as follows: 41-311b. (a) If an applicant for licensure is not a resident of the state of Kansas on the date of submission of such application ~~or has not been a resident for at least one year immediately preceding the date of submission of such application~~, the director ~~shall~~ may require the individual applicant, or if the applicant is a corporation, partnership or trust, each individual officer, director, stockholder, copartner or trustee to:

(1) Submit to a national criminal history record check and provide the director with a legible set of fingerprints;

(2) disclose to the director any substantial financial interest the applicant owns in any entity that receives proceeds from the sale of alcoholic beverages; and

(3) submit a release allowing the director to have access to and review of the applicant's financial records to verify ownership and to ensure applicant is not an agent of another person. This release shall remain in effect after the license has been issued until the license is canceled or revoked.

(b) The director shall submit the fingerprints provided under subsection (a) to the Kansas bureau of investigation and to the federal bureau of investigation and receive a reply to enable the director to verify the identity of such applicant or such individuals specified in subsection (a) and whether such applicant or such individuals have been convicted of any crimes that would disqualify the applicant or such individuals from holding a license under the liquor control act. The director is authorized to use the information obtained from the national criminal history record check to determine such applicant's or individual's eligibility to hold a license under the liquor control act.

(c) All costs incurred pursuant to this section to ensure that the applicant is qualified for licensure shall be paid by the applicant.

Sec. 8. K.S.A. 2020 Supp. 41-320a is hereby amended to read as follows: 41-320a.

(a) The director may suspend, involuntarily cancel or revoke any license issued pursuant to the Kansas liquor control act if, after notice and an opportunity for a hearing, the director determines that the licensee has:

(1) Fraudulently obtained the license by providing false information on the application therefor, or at any hearing thereon;

(2) violated any of the provisions of the Kansas liquor control act, ~~or~~ any rules or regulations adopted pursuant to such act or any lawful order issued by the director; or

(3) become ineligible to obtain a license or permit under K.S.A. 41-311 or K.S.A. 2020 Supp. 41-311b, and amendments thereto.

(b) This section shall be a part of and supplemental to the Kansas liquor control act.

Sec. 9. K.S.A. 2020 Supp. 41-350 is hereby amended to read as follows: 41-350.

(a) For the purposes of this act, the term "winery" means any maker or producer of wine whether in this state or in any other state, who holds a valid federal basic wine manufacturing permit. The terms "director" and "secretary" have the meaning ascribed to these terms in K.S.A. 41-102, and amendments thereto.

(b) Any winery may be authorized to make direct shipments of wine to consumers in this state upon obtaining a special order shipping license from the secretary pursuant to this act.

(1) A special order shipping license shall only be issued to a winery upon compliance with all applicable provisions of this act and the regulations promulgated pursuant to this act, and upon payment of a license fee in the amount of \$100. The license term for a special order shipping license shall commence on the date ~~the license is issued by the director~~ specified on the license and shall end two years after that date.

(2) A special order shipping license shall entitle the winery to ship wine upon order directly to consumers for personal or household use in this state. The purchaser shall pay the purchase price and all shipping costs directly to the permit holder. Enforcement taxes collected herein shall be paid solely on the purchase price and not on the shipping costs.

(c) No holder of a special order shipping license shall be permitted to ship in excess of 12 standard cases of wine of one brand or a combination of brands into this state to any one consumer or address per calendar year.

(d) (1) Before accepting an order from a consumer in this state, the holder of a special order shipping license shall require that the person placing the order to state affirmatively that he or she is 21 years of age or older and shall verify the age of such person placing the order either by the physical examination of an approved government issued form of identification or by utilizing an internet based age and identification service approved by the director of alcoholic beverage control, or the director's designee.

(2) Every shipment of wine by the holder of a special order shipping license shall be clearly marked 'Alcoholic Beverages, Adult Signature Required' and the carrier delivering such shipment shall be responsible for obtaining the signature of an adult who is at least 21 years of age as a condition of delivery.

(e) A special order shipping license shall not authorize the shipment of any wine to any premises licensed to sell alcoholic beverages pursuant to this act or the club and drinking establishment act.

(f) The failure to comply strictly with the requirements of this act and rules and regulations promulgated pursuant to this act shall be grounds for the revocation of a special order shipping license or other disciplinary action by the director. After notice and an opportunity for hearing in accordance with the provisions of the Kansas administrative procedure act, the director may refuse to issue or renew or may revoke a shipping permit upon a finding that the permit holder has failed to comply with any provision of this section or K.S.A. 41-501 et seq., and amendments thereto, or any rules and regulations adopted pursuant to such statutes. Upon revocation of a special order shipping license for shipment of wine to a person not of legal age as required herein such winery shall not be issued any special order shipping license pursuant to this act for a period of one year from the date of revocation.

(g) The holder of a special order shipping license shall collect all gallonage taxes imposed by K.S.A. 41-501 et seq., and amendments thereto, shall on a quarterly basis electronically remit such taxes ~~annually~~ in a manner prescribed by the secretary and shall accompany such remittance with ~~such any~~ reports, documentation ~~and or~~ other information as may be required by the secretary. In addition, an applicant for and a holder of a special order shipping license, as a condition of receiving and holding a valid license, shall:

(1) Collect and pay the applicable Kansas enforcement tax on each sale shipped to a consumer in Kansas imposed by K.S.A. 79-4101 et seq., and amendments thereto;

(2) accompany each remittance with such sales tax reports, documentation and other information as may be required by the director of taxation; and

(3) if the holder of the license is an out-of-state shipper, the licensee shall be deemed to have appointed the secretary of state as the resident agent and representative of the licensee to accept service of process from the secretary of revenue, the director and the courts of this state concerning enforcement of this section, K.S.A. 41-501 et seq., and amendments thereto, and any related laws and rules and regulations and to accept service of any notice or order provided for in the liquor control act.

(h) The secretary of revenue may adopt rules and regulations to implement, administer and enforce the provisions of this section.

(i) This section shall be a part of and supplemental to the Kansas liquor control act.

Sec. 10. K.S.A. 2020 Supp. 41-352 is hereby amended to read as follows: 41-352. (a) Any manufacturer or supplier of alcoholic liquor or cereal malt beverage, whether licensed in this state or any other state, or a holder of a distilled spirits plant permit issued by the alcohol and tobacco tax and trade bureau of the United States department of treasury may apply for an annual packaging and warehousing facility permit. The application shall be on a form prescribed by the director and shall include all information the director deems necessary.

(b) A packaging and warehousing facility permit shall allow the:

(1) ~~The~~ Transfer of alcoholic liquor or cereal malt beverage to the licensed premises of a packaging and warehousing facility for the purpose of packaging or storage, or both;

(2) ~~the~~ sale and transfer from the licensed premises of a packaging and warehousing facility to the licensed premises of a spirits, wine or beer distributor licensed in Kansas or to a Kansas supplier; ~~and~~

(3) ~~the~~ transfer from the licensed premises of a packaging and warehousing facility to another state; and

(4) receipt and transfer of alcoholic liquor in a bulk container from any manufacturer, supplier, farm winery, microbrewery or microdistillery of alcoholic liquor or cereal malt beverage, whether licensed in this state or any other state, for purposes of packaging in cans or bottles.

(c) The annual fee for a packaging and warehousing facility permit shall be \$2,500.

(d) Each brand and label of alcoholic liquor or cereal malt beverage that is intended for sale to distributors in Kansas and is transported, packaged or stored at a licensed packaging and warehousing facility must be registered in accordance with the provisions of K.S.A. 41-331, and amendments thereto.

(e) The tax imposed pursuant to K.S.A. 41-501, and amendments thereto, shall be paid on alcoholic liquor or cereal malt beverage imported into this state under a packaging and warehousing facility permit only if the alcoholic liquor or cereal malt beverage is sold to a distributor for sale at wholesale in this state and shall be paid by the distributor who purchases the alcoholic liquor or cereal malt beverage for sale at wholesale.

(f) For purposes of this section, the terms in subsections (a) and (b)(4), if not otherwise defined in K.S.A. 41-102, and amendments thereto, mean the same as such terms are defined in title 27, chapter I, subchapter A of the code of federal regulations, as in effect on July 1, 2021.

(g) This section shall be a part of and supplemental to the Kansas liquor control act.

Sec. 11. K.S.A. 2020 Supp. 41-712 is hereby amended to read as follows: 41-712.

(a) Within any city where the days of sale at retail of alcoholic liquor in the original package have not been expanded as provided by K.S.A. 2020 Supp. 41-2911, and amendments thereto, or have been so expanded and subsequently restricted as provided by K.S.A. 2020 Supp. 41-2911, and amendments thereto, ~~and within any township where the days of sale at retail of alcoholic liquor in the original package have not been expanded as provided by K.S.A. 2020 Supp. 41-2911, and amendments thereto, or have been so expanded and subsequently restricted as provided by K.S.A. 2020 Supp. 41-2911, and amendments thereto;~~ no person shall sell at retail any alcoholic liquor in the original package: (1) On Sunday; (2) on ~~Memorial Day, Independence Day, Labor Day,~~ Thanksgiving Day or Christmas Day; or (3) before 9 a.m. or after 11 p.m. on any day when the sale is permitted. The governing body of any city by ordinance may require the closing of premises prior to 11 p.m., but such ordinance shall not require closing prior to 8 p.m.

(b) Within any city where the days of sale at retail of alcoholic liquor in the original package have been expanded as provided by K.S.A. 2020 Supp. 41-2911, and amendments thereto, and have not been subsequently restricted as provided by K.S.A. 2020 Supp. 41-2911, and amendments thereto, and within any township where the days of sale at retail of alcoholic liquor in the original package have been expanded as provided by K.S.A. 2020 Supp. 41-2911, and amendments thereto, and have not been subsequently restricted as provided by K.S.A. 2020 Supp. 41-2911, and amendments thereto, no person shall sell at retail alcoholic liquor in the original package: (1) On Sunday ~~before 12 noon or after not earlier than 9 a.m. and not later than 8 p.m.;~~ (2) on Easter Sunday, Thanksgiving Day or Christmas Day; or (3) before 9 a.m. or after 11 p.m. on any day when the sale is permitted. The governing body of any city by ordinance may require the closing of premises prior to 11 p.m., but such ordinance shall not require closing prior to 8 p.m.

Sec. 12. K.S.A. 2020 Supp. 41-718 is hereby amended to read as follows: 41-718.

(a) No person except a manufacturer, distributor, microbrewery, microdistillery, farm winery or wholesaler shall fill or refill, in whole or in part, any original package of alcoholic liquor with the same or any other kind or quality of alcoholic liquor.

(b) No person shall have in the person's possession for sale at retail any bottles, casks or other containers containing alcoholic liquor, except in original packages.

(c) This section shall not apply to the sale of beer, domestic beer or cereal malt beverage by a retailer in accordance with K.S.A. 41-308(c)(8), and amendments thereto.;

Also on page 7, in line 35, by striking "they are" and inserting "such permit is";

On page 8, in line 9, after "(1)" by inserting "(A)"; in line 11, by striking "(A)" and inserting "(i)"; in line 13, by striking "(B)" and inserting "(ii)"; in line 16, by striking "(C)" and inserting "(iii)"; in line 18, before "The" by inserting "(B)"; in line 19, by striking the first "which" and inserting "that";

On page 10, in line 23, by striking "the age of"; also in line 23, after "years" by inserting "of age"; in line 25, by striking "the age of"; also in line 25, after "years" by inserting "of age"; in line 27, by striking "the age of"; also in line 27, after "21" by inserting "years of age";

On page 13, in line 17, by striking "(" and inserting a comma; in line 18, by striking ")" and inserting a comma; also in line 18, after "them" by inserting ", as provided in

K.S.A. 41-2637, and amendments thereto"; in line 26, after the period by inserting "The term ""; also in line 26, after "establishment" by inserting """;

On page 17, in line 1, by striking "this" and inserting "the club and drinking establishment"; also in line 1, by striking "or" and inserting a comma; in line 2, by striking "hereunder" and inserting "pursuant to such act or any lawful order issued by the director"; in line 25, after "and" by inserting ":

(1)";

Also on page 17, in line 28, after "final" by inserting a semicolon; also in line 28, after "or" by inserting:

"(2)";

On page 19, in line 2, by striking all after "(3)"; by striking all in line 3; in line 4, by striking "(4)"; following line 26, by inserting:

"(F) Any person who has a beneficial interest in a manufacturer licensed pursuant to the Kansas liquor control act may be issued one drinking establishment license."; in line 32, by striking all after "citizenship"; by striking all in line 43;

On page 20, by striking all in line 1; in line 7, by striking the colon; in line 8, by striking "(1)"; by striking all in lines 15 and 16;

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

Also on page 20, following line 16, by inserting:

"Sec. 26. K.S.A. 41-2632 is hereby amended to read as follows: 41-2632. (a) As used in this section:

(1) ~~The word~~ "Distributor" means a person, firm, association or corporation ~~which that~~ is the holder of an alcoholic liquor distributor's license issued under the Kansas liquor control act;

(2) ~~the word~~ "retailer" means a person, copartnership or association ~~which that~~ is the holder of a retailer's license issued under the Kansas liquor control act; and

(3) ~~the word~~ "manufacturer" ~~shall have the meaning ascribed to it by means the same as such term is defined in~~ K.S.A. 41-102, and amendments thereto.

(b) It shall be unlawful for a distributor of alcoholic liquor, or a manufacturer, or any officer, agent or employee thereof, to influence, coerce or induce or attempt to influence, coerce or induce, either directly or indirectly, any holder of a license issued under this act, or any officer, agent or employee of the holder of such a license, to: (1) Purchase any particular brand or kind of alcoholic liquor to be dispensed by the licensee, except that a distributor or manufacturer may provide to a licensee information regarding the availability of brands in the market and things of value as authorized by ~~subsection (d) of~~ K.S.A. 41-703(d), and amendments thereto; or (2) purchase from a particular retailer alcoholic liquor to be dispensed by the licensee.

(c) Violation of this section is a misdemeanor punishable by a fine of not less than \$100 nor more than \$1,000 or by imprisonment for not more than six months, or by both.

(d) The provisions of this section shall not apply to any manufacturer who holds a drinking establishment license with respect to purchases made by such drinking establishment.";

Also on page 20, in line 21, by striking the second "and"; in line 23, after "them" by inserting "; and

(3) offer for sale, sell and serve alcoholic liquor for consumption on the licensed

premises by individuals other than those individuals specified in paragraph (1) during an event held in accordance with subsection (d)";

Also on page 20, in line 24, before "No" by inserting "(b)"; in line 29, by striking the first "(b)" and inserting "(c)"; also in line 29, by striking "(b)(2)" and inserting "(c)(2)"; in line 42, by striking "(c)" and inserting "(d) (1) A licensee may offer for sale, sell and serve alcoholic liquor for consumption on the licensed premises by individuals other than members of the licensee, their families or guests during an event. The licensee shall provide electronic notification to the director at least 48 hours prior to any such event. The director shall make the electronic notification available to local law enforcement. Such notice shall consist of the date, time, location and the names of the contracting parties of the event. The licensee shall retain all documents for a period of three years for inspection by the director. The documents retained shall include agreements, receipts and records of alcohol purchased.

(2) For purposes of this subsection, the term "event" means any function, occasion, celebration or other event held on the licensed premises for a specified duration of time and during which individuals who are not members of the licensee, their families or guests are permitted to enter and use the licensed premises pursuant to an agreement between the licensee and the contracting party.

(e)";

On page 21, following line 3, by inserting:

"Sec. 28. K.S.A. 2020 Supp. 41-2640 is hereby amended to read as follows: 41-2640. (a) No club, drinking establishment, caterer or holder of a temporary permit, nor any person acting as an employee or agent thereof, shall:

(1) Offer or serve any free cereal malt beverage or alcoholic liquor in any form to any person;

(2) offer or serve to any person an individual drink at a price that is less than the acquisition cost of the individual drink to the licensee or permit holder;

(3) sell, offer to sell or serve to any person an unlimited number of individual drinks during any set period of time for a fixed price, except at private functions not open to the general public or to the general membership of a club;

(4) encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or cereal malt beverage or the awarding of individual drinks as prizes;

(5) sell, offer to sell or serve free of charge any form of powdered alcohol, as defined in K.S.A. 41-102, and amendments thereto; or

(6) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (a)(1) through (5).

(b) No public venue, nor any person acting as an employee or agent thereof, shall:

(1) Offer or serve any free cereal malt beverage or alcoholic liquor in any form to any person;

(2) offer or serve to any person a drink or original container of alcoholic liquor or cereal malt beverage at a price that is less than the acquisition cost of the drink or original container of alcoholic liquor or cereal malt beverage to the licensee;

(3) sell or serve alcoholic liquor in glass containers to customers in the general admission area;

(4) sell or serve more than two drinks per customer at any one time in the general admission area;

(5) encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or cereal malt beverage or the awarding of drinks as prizes;

(6) sell, offer to sell or serve free of charge any form of powdered alcohol, as defined in K.S.A. 41-102, and amendments thereto; or

(7) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (b)(1) through (6).

(c) A public venue, club, drinking establishment, caterer or holder of a temporary permit may:

(1) Offer free food or entertainment at any time;

(2) sell or deliver wine by the bottle or carafe;

(3) sell, offer to sell and serve individual drinks at different prices throughout any day;

(4) sell or serve beer ~~or~~, cereal malt beverage or mixed alcoholic beverage in a pitcher ~~capable of containing not more than 64 fluid ounces; or~~

(5) offer samples of alcohol liquor free of charge as authorized by this act; ~~or~~

~~(6) sell or serve margarita, sangria, daiquiri, mojito or other mixed alcoholic beverages as approved by the director in a pitcher containing not more than 64 fluid ounces.~~

(d) A hotel of which the entire premises is licensed as a drinking establishment may, in accordance with rules and regulations adopted by the secretary, distribute to its guests coupons redeemable on the hotel premises for drinks containing alcoholic liquor. The hotel shall remit liquor drink tax in accordance with the provisions of the liquor drink tax act, K.S.A. 79-41a01 et seq., and amendments thereto, on each drink served based on a price which is not less than the acquisition cost of the drink.

(e) (1) A public venue, club or drinking establishment may offer customer self-service of beer or wine, or both, from automated devices on licensed premises so long as the licensee monitors and has the ability to control the dispensing of such beer or wine, or both, from the automated devices.

(2) (A) For purposes of this subsection, "automated device" ~~shall mean~~ means any mechanized device capable of dispensing wine or beer, or both, directly to a customer in exchange for compensation that a licensee has received directly from the customer.

(B) No licensee shall allow an automated device to be used on its licensed premises without first providing written or electronic notification to the director of the licensee's intent to use the automated device. The licensee shall provide this notification at least 48 hours before any automated device is used on the licensed premises.

(C) Each licensee offering customer self-service of wine or beer, or both, from any automated device shall provide constant video monitoring of the automated device at all times during which the licensee is open to the public. The licensee shall keep recorded footage from the video monitoring for at least 60 days and shall provide the footage, upon request, to any agent of the director or other authorized law enforcement agent.

(D) The compensation required by subsection (a) shall be in the form of a programmable, prepaid access card containing a fixed amount of monetary credit that may be directly exchanged for beer or wine dispensed from the automated device. Access cards may be sold, used or reactivated only during a business day. Each access card shall be purchased from the licensee by a customer. A licensee shall not issue more than one active access card to a customer. For purposes of this subsection, an access

card shall be deemed active if the access card contains monetary credit or has not yet been used to dispense 15 ounces of wine or 32 ounces of beer. Each purchase of an access card under this subparagraph shall be subject to the liquor drink tax imposed by K.S.A. 79-41a02, and amendments thereto.

(E) In order to obtain a prepaid access card from a licensee, each customer shall produce a valid driver's license, identification card or other government-issued document that contains a photograph of the individual and demonstrates that the individual is at least 21 years of age. Each access card shall be programmed to require the production of the customer's valid identification before the access card can be used for the first time during any business day or for any subsequent reactivation as provided in subparagraph (D).

(F) Each access card shall become inactive at the end of each business day.

(G) Each access card shall be programmed to allow the dispensing of no more than 15 ounces of wine or 32 ounces of beer to a customer. Once an access card has been used to dispense 15 ounces of wine or 32 ounces of beer to a customer, the access card shall become inactive. Any customer in possession of an inactive access card may, upon production of the customer's valid identification to the licensee or licensee's employee, have the access card reactivated to allow the dispensing of an additional 15 ounces of wine or 32 ounces of beer from an automated device.

Subparagraph (D), (E), (F) or (G) shall not apply to wine or beer that is dispensed directly to the licensee or the licensee's agent or employee.

(3) The secretary shall adopt rules and regulations prior to January 1, 2019, as necessary to implement the provisions of this subsection.

(4) Notwithstanding any other provision of law, all laws and rules and regulations applicable to the sale of alcoholic liquor to persons under the legal age of consumption shall be applicable to the sales transaction of the prepaid access card.

(f) A hotel of which the entire premises is not licensed as a drinking establishment may, in accordance with rules and regulations adopted by the secretary, through an agreement with one or more clubs or drinking establishments, distribute to its guests coupons redeemable at such clubs or drinking establishments for drinks containing alcoholic liquor. Each club or drinking establishment redeeming coupons issued by a hotel shall collect from the hotel the agreed price, which shall be not less than the acquisition cost of the drink plus the liquor drink tax for each drink served. The club or drinking establishment shall collect and remit the liquor drink tax in accordance with the provisions of the liquor drink tax act, K.S.A. 79-41a01 et seq., and amendments thereto.

(g) Violation of any provision of this section is a misdemeanor punishable as provided by K.S.A. 41-2633, and amendments thereto.

(h) Violation of any provision of this section shall be grounds for suspension or revocation of the licensee's license as provided by K.S.A. 41-2609, and amendments thereto, and for imposition of a civil fine on the licensee or temporary permit holder as provided by K.S.A. 41-2633a, and amendments thereto.

(i) For the purposes of this section, the term:

(1) "Day" means from 6:00 a.m. until 2:00 a.m. the following calendar day;

(2) "mixed alcoholic beverage" means a beverage that is made by combining alcoholic liquor with a non-alcoholic liquid or other edible substance and that is comprised of at least 25% non-alcoholic liquid or other edible substance, including, but

not limited to, margarita, sangria, daiquiri or mojito; and

(3) "pitcher" means any container that is capable of containing more than 32 fluid ounces but not more than 64 fluid ounces that is used to serve alcoholic liquor or cereal malt beverage to one or more individuals.";

On page 23, in line 38, after "(d)" by inserting "(1)"; following line 41, by inserting:

"(2) If the drinking establishment licensee also holds a manufacturer's license issued under the Kansas liquor control act, the licensed premises specified in the drinking establishment license shall not be the same as the licensed premises specified in the manufacturer's license, but such specified premises shall be located not more than two miles by the usually traveled road from the licensed premises specified in the manufacturer's license.";

On page 24, following line 16, by inserting:

"(g) If the drinking establishment licensee also holds a manufacturer's license issued under the Kansas liquor control act, the drinking establishment shall not sell alcoholic liquor manufactured by such manufacturer's licensee to the exclusion of other alcoholic liquor. All beer and cereal malt beverage sold by the drinking establishment shall be acquired from a distributor or retailer licensed under the Kansas liquor control act, and all wine and spirits sold by the drinking establishment shall be acquired from a retailer or farm winery licensed under the Kansas liquor control act and who possesses a federal wholesaler's basic permit.";

On page 28, in line 7, after "(b)" by inserting "A patron may remove one or more containers of beer, domestic beer and cereal malt beverage, as those terms are defined in K.S.A. 41-102, and amendments thereto, that are sold on the licensed premises to consumers and served in refillable and sealable containers for consumption off the licensed premises if such containers:

- (1) Contain between 32 and 64 fluid ounces;
  - (2) have a label affixed that clearly indicates the licensee's name and the type of alcoholic beverage contained in such container; and
  - (3) are not sold or removed from the premises after 11:00 p.m.
- (d) All alcoholic liquor, cereal malt beverage and nonalcoholic malt beverage sold by a licensee shall be subject to the tax imposed by K.S.A. 79-41a02, and amendments thereto.
- (e)";

On page 31, following line 35, by inserting:

"Sec. 36. K.S.A. 2020 Supp. 41-2703 is hereby amended to read as follows: 41-2703. (a) After examination of an application for a retailer's license, the board of county commissioners or the director shall, if they approve the same, issue a license to the applicant. The governing body of the city shall, if the applicant is qualified as provided by law, issue a license to such applicant.

(b) No retailer's license shall be issued to:

~~(1) A person who is not a resident of the county in which the place of business covered by the license is located, has not been a resident of such county for at least six months or has not been a resident in good faith of the state of Kansas;~~

~~(2) A person who has not been a resident of this state for at least one year immediately preceding application for a retailer's license;~~

~~(3) A person who is not of good character and reputation in the community in which the person resides.~~

~~(4)~~(2) A person who is not a citizen of the United States.

~~(5)~~(3) A person who, within two years immediately preceding the date of application approval, has been convicted of, released from incarceration for or released from probation or parole for a felony or any crime involving moral turpitude, drunkenness, driving a motor vehicle while under the influence of intoxicating liquor or violation of any other intoxicating liquor law of any state or of the United States.

~~(6)~~(4) A partnership, unless all the members of the partnership are otherwise qualified to obtain a license.

~~(7)~~(5) A corporation, if any manager, officer or director thereof, or any stockholder owning in the aggregate more than 25% of the stock of such corporation, would be ineligible to receive a license hereunder for any reason other than the citizenship ~~and residency~~ requirements.

~~(8)~~(6) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses all the qualifications of a licensee.

~~(9)~~(7) A person whose spouse would be ineligible to receive a retailer's license for any reason other than citizenship, ~~residence~~ requirements or age, except that this ~~subsection (b)(9) paragraph~~ shall not apply in determining eligibility for a renewal license.

~~(10)~~(8) A person whose spouse has been convicted of a felony or other crime ~~which that~~ would disqualify a person from licensure under this section and such felony or other crime was committed during the time that the spouse held a license under this act.

(c) After examination of an application for a retailer's license, the board of county commissioners or the governing body of a city may deny a license to a person, partnership or corporation if any manager, officer or director thereof, or any stockholder owning in the aggregate more than 25% of the stock of such corporation, has been an officer, manager, director or a stockholder owning in the aggregate more than 25% of the stock, of a corporation ~~which that~~ has:

(1) Had a retailer's license revoked under K.S.A. 41-2708, and amendments thereto; or

(2) been convicted of a violation of the club and drinking establishment act or the cereal malt beverage laws of this state.

(d) If an applicant has been issued a producer's license pursuant to K.S.A. 41-355, and amendments thereto, an application for a retailers' license shall be approved by the board of county commissioners or the director, subject to the requirements of subsections (b) and (c).

(e) Retailers' licenses shall be issued either on an annual basis or for the calendar year. If such licenses are issued on an annual basis, the board of county commissioners or the governing body of the city shall notify the distributors supplying the county or city on or before April 1 of the year if a retailer's license is not renewed.

~~(e)~~(f) In addition to, and consistent with the requirements of K.S.A. 41-2701 et seq., and amendments thereto, the board of county commissioners of any county or the governing body of any city may provide by resolution or ordinance for the issuance of a special event retailers' permit ~~which that~~ shall allow the permit holder to offer for sale, sell and serve cereal malt beverage for consumption on unpermitted premises, ~~which that~~ may be open to the public, subject to the following:

(1) A special event retailers' permit shall specify the premises for which the permit is issued;

(2) a special event retailers' permit shall be issued for the duration of the special event, the dates and hours of which shall be specified in the permit;

(3) ~~no~~ not more than four special event retailers' permits may be issued to any one applicant in a calendar year; and

(4) a special event retailers' permit shall not be transferable or assignable.

~~(f)~~(g) A special event retailers' permit holder shall not be subject to the provisions of the beer and cereal malt beverage keg registration act, K.S.A. 41-2901 et seq., and amendments thereto.

Sec. 37. K.S.A. 2020 Supp. 41-2704 is hereby amended to read as follows: 41-2704. (a) In addition to and consistent with the requirements of the Kansas cereal malt beverage act, the board of county commissioners of any county or the governing body of any city may prescribe hours of closing, standards of conduct and rules and regulations concerning the moral, sanitary and health conditions of places licensed pursuant to this act and may establish zones within which no such place may be located.

(b) Within any city where the days of sale at retail of cereal malt beverage in the original package have not been expanded as provided by K.S.A. 2020 Supp. 41-2911, and amendments thereto, or have been so expanded and subsequently restricted as provided by K.S.A. 2020 Supp. 41-2911, and amendments thereto, ~~and within any township where the hours and days of sale at retail of cereal malt beverage in the original package have not been expanded as provided by K.S.A. 2020 Supp. 41-2911, and amendments thereto, or have been so expanded and subsequently restricted as provided by K.S.A. 2020 Supp. 41-2911, and amendments thereto,~~ no cereal malt beverages or beer containing not more than 6% alcohol by volume may be sold:

(1) Between the hours of 12 midnight and 6 a.m.; or

(2) on Sunday, except in a place of business which is licensed to sell cereal malt beverage for consumption on the premises, which derives not less than 30% of its gross receipts from the sale of food for consumption on the licensed premises and which is located in a county where such sales on Sunday have been authorized by resolution of the board of county commissioners of the county or in a city where such sales on Sunday have been authorized by ordinance of the governing body of the city.

(c) Within any city where the days of sale at retail of cereal malt beverage in the original package have been expanded as provided by K.S.A. 2020 Supp. 41-2911, and amendments thereto, and have not been subsequently restricted as provided in K.S.A. 2020 Supp. 41-2911, and amendments thereto, ~~and within any township where the days of sale at retail of cereal malt beverage in the original package have been expanded as provided by K.S.A. 2020 Supp. 41-2911, and amendments thereto, and have not been subsequently restricted as provided by K.S.A. 2020 Supp. 41-2911, and amendments thereto,~~ no person shall sell at retail cereal malt beverage or beer containing not more than 6% alcohol by volume:

(1) Between the hours of 12 midnight and 6 a.m.;

(2) in the original package ~~before 12 noon or after~~ not earlier than 9 a.m. and not later than 8 p.m. on Sunday;

(3) on Easter Sunday; or

(4) for consumption on the licensed premises on Sunday, except in a place of business which is licensed to sell cereal malt beverage for consumption on the premises, which derives not less than 30% of its gross receipts from the sale of food for consumption on the licensed premises and which is located in a county where such sales

on Sunday have been authorized by resolution of the board of county commissioners of the county or in a city where such sales on Sunday have been authorized by ordinance of the governing body of the city.

(d) No private rooms or closed booths shall be operated in a place of business, but this provision shall not apply if the licensed premises also are licensed as a club pursuant to the club and drinking establishment act.

(e) Each place of business shall be open to the public and to law enforcement officers at all times during business hours, except that a premises licensed as a club pursuant to the club and drinking establishment act shall be open to law enforcement officers and not to the public.

(f) Except as otherwise provided by this subsection, no licensee shall permit a person under the legal age for consumption of cereal malt beverage or beer containing not more than 6% alcohol by volume to consume or purchase any cereal malt beverage in or about a place of business. A licensee's employee who is not less than 18 years of age may dispense or sell cereal malt beverage or beer containing not more than 6% alcohol by volume, if:

(1) The licensee's place of business is licensed only to sell at retail cereal malt beverage or beer containing not more than 6% alcohol by volume in the original package and not for consumption on the premises; or

(2) the licensee's place of business is a licensed food service establishment, as defined by K.S.A. 36-501, and amendments thereto, and not less than 50% of the gross receipts from the licensee's place of business is derived from the sale of food for consumption on the premises of the licensed place of business.

(g) No person shall have any alcoholic liquor, except beer containing not more than 6% alcohol by volume, in such person's possession while in a place of business, unless the premises are currently licensed as a club or drinking establishment pursuant to the club and drinking establishment act.

(h) Cereal malt beverages may be sold on premises ~~which that~~ are licensed pursuant to both the Kansas cereal malt beverage act and the club and drinking establishment act at any time when alcoholic liquor is allowed by law to be served on the premises.

Sec. 38. K.S.A. 2020 Supp. 41-2911 is hereby amended to read as follows: 41-2911. (a) (1) The board of county commissioners of any county may, by resolution:

(A) Expand the days of sale at retail of cereal malt beverage in the original package to allow such sale within the unincorporated area of the county on any Sunday, except Easter, ~~between the hours of 12 noon and not earlier than 9 a.m. and not later than 8 p.m. as established in the resolution~~ and expand the days of sale at retail of alcoholic liquor in the original package, if licensing of such sale of alcoholic liquor is authorized within the unincorporated area of the county, to allow such sale within the unincorporated area of the county on any Sunday, except Easter, ~~between the hours of 12 noon and not earlier than 9 a.m. and not later than 8 p.m. and on Memorial Day, Independence Day and Labor Day as established in the resolution;~~ or

(B) restrict the days of sale at retail of cereal malt beverage in the original package to prohibit such sale within the unincorporated area of the county on Sunday and restrict the days of sale at retail of alcoholic liquor in the original package, if licensing of such sale of alcoholic liquor is authorized within the unincorporated area of the county, to prohibit such sale within the unincorporated area of the county on Sunday; ~~Memorial~~

**Day, Independence Day and Labor Day.**

Such resolution shall be published once, within two weeks after its adoption, in the official county newspaper. Such resolution shall not become effective earlier than 60 days following the date of its publication ~~or November 15, 2005, whichever is later.~~ If, within 60 days following publication of the resolution, a petition requesting that a proposition be submitted for approval by the voters is filed in accordance with subsection (a)(2), such resolution shall not become effective until a proposition is submitted to and approved at an election as provided by this subsection (a).

(2) A petition to submit a proposition to the qualified voters of a county pursuant to this subsection (a) shall be filed with the county election officer. The petition shall be signed by qualified voters of the county who reside within the unincorporated area of the county equal in number to not less than 5% of the voters of the county residing within the unincorporated area of the county who voted for the office of president of the United States at the last preceding general election at which such office was elected. The appropriate version of the following shall appear on the petition:

(A) If licensing of sale at retail of alcoholic liquor in the original package is not authorized within the unincorporated area of the county, the petition shall read: "We request an election to determine whether sale at retail of cereal malt beverage in the original package shall be (allowed on any Sunday, except Easter, ~~between the hours of 12 noon and not earlier than 9 a.m. and not later than 8 p.m. as established in the petition~~) (prohibited on Sunday) within the unincorporated area of \_\_\_\_\_ county."

(B) If licensing of sale at retail of alcoholic liquor is authorized within the unincorporated area of the county, the petition shall read: "We request an election to determine whether sale at retail of cereal malt beverage in the original package shall be (allowed on any Sunday, except Easter, ~~between the hours of 12 noon and not earlier than 9 a.m. and not later than 8 p.m. as established in the petition~~) (prohibited on Sunday) within the unincorporated area of \_\_\_\_\_ county and whether sale at retail of alcoholic liquor in the original package shall be (allowed on any Sunday, except Easter, ~~between the hours of 12 noon and not earlier than 9 a.m. and not later than 8 p.m. and on Memorial Day, Independence Day and Labor Day as established in the petition~~) (prohibited on Sunday, ~~Memorial Day, Independence Day and Labor Day~~) within the unincorporated area of \_\_\_\_\_ county."

(3) Upon submission of a valid petition calling for an election pursuant to this subsection (a), the county commission shall call a special election to be held not later than 45 days after submission of the petition unless a countywide primary or general election is to be held within 90 days after submission of the petition, in which case the proposition shall be submitted at such countywide election. Thereupon, the county election officer shall cause the appropriate version of the following proposition to be placed on the ballot in the unincorporated area of the county at such election:

(A) If licensing of sale at retail of alcoholic liquor is not authorized within the unincorporated area of the county, the following proposition shall be placed on the ballot: "Within the unincorporated area of \_\_\_\_\_ county shall sale at retail of cereal malt beverage in the original package be (allowed on any Sunday, except Easter, ~~between the hours of 12 noon and not earlier than 9 a.m. and not later than 8 p.m. as established in the petition~~) (prohibited on Sunday)?"

(B) If licensing of sale at retail of alcoholic liquor is authorized within the

unincorporated area of the county, the following proposition shall be placed on the ballot: "Within the unincorporated area of \_\_\_\_\_ county shall sale at retail of cereal malt beverage in the original package be (allowed on any Sunday, except Easter, ~~between the hours of 12 noon and not earlier than 9 a.m. and not later than 8 p.m. as established in the petition~~) (prohibited on Sunday) and shall the sale at retail of alcoholic liquor in the original package be (allowed on any Sunday, except Easter, ~~between the hours of 12 noon and not earlier than 9 a.m. and not later than 8 p.m. and on Memorial Day, Independence Day and Labor Day as established in the petition~~) (prohibited on Sunday, ~~Memorial Day, Independence Day and Labor Day~~)?"

(b) (1) The governing body of any city may, by ordinance:

(A) Expand the days of sale at retail of cereal malt beverage in the original package to allow such sale within the city on any Sunday, except Easter, ~~between the hours of 12 noon and not earlier than 9 a.m. and not later than 8 p.m. as established in the ordinance~~ and expand the days of sale at retail of alcoholic liquor in the original package, if licensing of such sale of alcoholic liquor is authorized within the city, to allow such sale within the city on any Sunday, except Easter, ~~between the hours of 12 noon and not earlier than 9 a.m. and not later than 8 p.m. and on Memorial Day, Independence Day and Labor Day as established in the ordinance;~~ or

(B) restrict the days of sale at retail of cereal malt beverage in the original package to prohibit such sale within the city on Sunday and restrict the days of sale at retail of alcoholic liquor in the original package, if licensing of such sale of alcoholic liquor is authorized within the city, to prohibit such sale within the city on Sunday, ~~Memorial Day, Independence Day and Labor Day.~~

Such ordinance shall be published at least once each week for two consecutive weeks in the official city newspaper. Such ordinance shall not become effective earlier than 60 days following the date of its publication ~~or November 15, 2005, whichever is later.~~ If, within 60 days following publication of the ordinance, a petition requesting that a proposition be submitted for approval by the voters is filed in accordance with subsection (b)(2), such ordinance shall not become effective until a proposition is submitted to and approved at an election as provided by this subsection (b).

(2) A petition to submit a proposition to the qualified voters of a city pursuant to this subsection (b) shall be filed with the county election officer. The petition shall be signed by qualified voters of the city equal in number to not less than 5% of the voters of the city who voted for the office of president of the United States at the last preceding general election at which such office was elected. The appropriate version of the following shall appear on the petition:

(A) If licensing of sale at retail of alcoholic liquor in the original package is not authorized within the city, the petition shall read: "We request an election to determine whether sale at retail of cereal malt beverage in the original package shall be (allowed on any Sunday, except Easter, ~~between the hours of 12 noon and not earlier than 9 a.m. and not later than 8 p.m. as established in the petition~~) (prohibited on Sunday) within the city of \_\_\_\_\_."

(B) If licensing of sale at retail of alcoholic liquor is authorized within the city, the petition shall read: "We request an election to determine whether sale at retail of cereal malt beverage in the original package shall be (allowed on any Sunday, except Easter, ~~between the hours of 12 noon and not earlier than 9 a.m. and not later than 8 p.m. as established in the petition~~) (prohibited on Sunday) within the city of \_\_\_\_\_ and

whether sale at retail of alcoholic liquor in the original package shall be (allowed on any Sunday, except Easter, ~~between the hours of 12 noon and not earlier than 9 a.m. and not later than 8 p.m. and on Memorial Day, Independence Day and Labor Day as established in the petition~~) (prohibited on Sunday, ~~Memorial Day, Independence Day and Labor Day~~) within the city of \_\_\_\_\_."

(3) Upon submission of a valid petition calling for an election pursuant to this subsection (b), the city governing body shall call a special election to be held not later than 45 days after submission of the petition unless a citywide primary or general election is to be held within 90 days after submission of the petition, in which case the proposition shall be submitted at such citywide election. Thereupon, the county election officer shall cause the appropriate version of the following proposition to be placed on the ballot in the city at such election:

(A) If licensing of sale at retail of alcoholic liquor is not authorized within the city, the following proposition shall be placed on the ballot: "Within the city of \_\_\_\_\_ shall sale at retail of cereal malt beverage in the original package be (allowed on any Sunday, except Easter, ~~between the hours of 12 noon and not earlier than 9 a.m. and not later than 8 p.m. as established in the petition~~) (prohibited on Sunday)?"

(B) If licensing of sale at retail of alcoholic liquor is authorized within the city, the following proposition shall be placed on the ballot: "Within the city of \_\_\_\_\_ shall sale at retail of cereal malt beverage in the original package be (allowed on any Sunday, except Easter, ~~between the hours of 12 noon and not earlier than 9 a.m. and not later than 8 p.m. as established in the petition~~) (prohibited on Sunday) and shall the sale at retail of alcoholic liquor in the original package be (allowed on any Sunday, except Easter, ~~between the hours of 12 noon and not earlier than 9 a.m. and not later than 8 p.m. and on Memorial Day, Independence Day and Labor Day as established in the petition~~) (prohibited on Sunday, ~~Memorial Day, Independence Day and Labor Day~~)?"

(c) The county election officer shall transmit to the director a copy of the results of an election pursuant to this section.

(d) An election provided for by this section shall be called and held in the manner provided by the general bond law.;"

Also on page 31, in line 36, by striking all after "Sec. 24."; by striking all in lines 37 through 39; in line 40, by striking all before "are" and inserting "K.S.A. 41-2604, 41-2619 and 41-2632 and K.S.A. 2020 Supp. 41-102, 41-308, 41-308a, 41-308b, 41-311, 41-311b, 41-320a, 41-350, 41-352, 41-712, 41-718, 41-1201, 41-1202, 41-1203, 41-1204, 41-2601, 41-2608, 41-2610, 41-2611, 41-2613, 41-2614, 41-2623, 41-2632, 41-2637, 41-2640, 41-2641, 41-2642, 41-2643, 41-2653, as amended by section 1 of 2021 Senate Bill No. 14, 41-2655, 41-2658, 41-2659, 41-2703, 41-2704 and 41-2911";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking all before the semicolon and inserting "eliminating the requirement of Kansas residency for licensure; providing for suspension or revocation of licenses for violations of orders issued by the director; authorizing sales on Sunday and certain holidays; authorizing the issuance of fulfillment house licenses; reducing the Kansas grown product requirement for wine and hard cider; allowing the transfer and receipt of bulk wine; allowing the transfer and receipt of bulk alcoholic liquor and cereal malt beverage for canning and bottling purposes; requiring electronic submission of gallonage taxes by special order shipping licensees; authorizing the issuance of a drinking establishment license to manufacturers under

certain conditions; authorizing the sale of alcoholic liquor by class A clubs at special events; specifying requirements for serving alcoholic liquor in pitchers; requiring issuance of a cereal malt beverage retailers' license to licensed producers; allowing the sale and removal of beer and cereal malt beverage in certain containers";

Also on page 1, in the title, by striking all in lines 6 through 9; in line 10, by striking all before the second "and" and inserting "K.S.A. 41-2604, 41-2619 and 41-2632 and K.S.A. 2020 Supp. 41-102, 41-308, 41-308a, 41-308b, 41-311, 41-311b, 41-320a, 41-350, 41-352, 41-712, 41-718, 41-1201, 41-1202, 41-1203, 41-1204, 41-2601, 41-2608, 41-2610, 41-2611, 41-2613, 41-2614, 41-2623, 41-2632, 41-2637, 41-2640, 41-2641, 41-2642, 41-2643, 41-2653, as amended by section 1 of 2021 Senate Bill No. 14, 41-2655, 41-2658, 41-2659, 41-2703, 41-2704 and 41-2911";

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

LARRY ALLEY  
RICHARD HILDERBRAND  
OLETHA FAUST-GOUDEAU  
*Conferees on part of Senate*

JOHN BARKER  
TORY MARIE ARNBERGER  
LOUIS E. RUIZ  
*Conferees on part of House*

On motion of Rep. Barker, the conference committee report on **HB 2137** was adopted.

On roll call, the vote was: Yeas 101; Nays 18; Present but not voting: 0; Absent or not voting: 6.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Estes, Fairchild, Featherston, Finch, Finney, Francis, Gartner, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Moser, Neelly, Neighbor, Ohaebosim, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Stogsdill, Tarwater, Thomas, Thompson, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Baker, Burris, Collins, Esau, French, Haswood, Jacobs, Lee-Hahn, Minnix, Murphy, Orr, Rahjes, Rhiley, Samsel, Smith, E., Sutton, Toplikar, Weigel.

Present but not voting: None.

Absent or not voting: Awerkamp, Garber, Howard, Huebert, Newland, Victors.

#### EXPLANATIONS OF VOTE

MR SPEAKER: Once again Kansas lawmakers are guilty of not only increasing spending, government, gambling, and drugs but also the expansion of alcohol sales on Sundays. What would happen if legislators said "No" to bigger government and their

eternal programs and actually worked on solutions for the Kansas people and got out of the way of moral Liberty? Therefore Mr. Speaker I vote “NO” on **HB 2137**. “If the citizens neglect their duty and place unprincipled men in office, the government will soon be corrupted.” Noah Webster. – TREVOR JACOBS, TATUM LEE-HAHN, BILL RHILEY

MR. SPEAKER: I am voting no on **HB 2137** as it will destroy the Kansas Ag-Winery business. We must keep most Kansas wines coming from grapes being grown in Kansas. If we truly are an agriculture state, this is the worse of bills to consider. We will be destroying the business model of over 50 wineries in Kansas. With no restrictions on wine manufacturing in Kansas, you are shutting down one of the leading tourist attractions in the state, the locally owned Kansas wineries and vineyards. – DAVID FRENCH

On motion of Rep. Hawkins, the House recessed until 6:30 p.m.

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#### EARLY EVENING SESSION

The House met pursuant to recess with Speaker Ryckman in the chair.

#### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **HB 2134**.

#### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hawkins, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **HB 2134**.

#### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2134** submits the following report:

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

On page 1, by striking all in lines 9 through 36;

By striking all on pages 2 through 59;

On page 60, by striking all in lines 1 through 33; following line 33, by inserting the following:

"New Section 1.

#### DEPARTMENT OF EDUCATION

(a) On the effective date of this act, of the \$3,306,581 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 2(a) of chapter 19 of the 2019 Session Laws of Kansas from the state general fund in the KPERs – employer contributions – non-USDs account (652-00-1000-0100), the sum of \$2,015,931 is hereby lapsed.

(b) On the effective date of this act, of the \$21,247,425 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 2(a) of chapter 19 of the 2019 Session Laws of Kansas from the state general fund in the KPERS – employer contributions – USDs account (652-00-1000-0110), the sum of \$6,869,706 is hereby lapsed.

(c) On the effective date of this act, of the \$12,673,886 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 79(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the mental health intervention team pilot account (652-00-1000-0150), the sum of \$1,215,004 is hereby lapsed.

(d) On the effective date of this act, any unencumbered balance in the education super highway account (652-00-1000-0180) of the state general fund is hereby lapsed.

(e) On the effective date of this act, of the \$5,060,528 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 79(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the school district juvenile detention facilities and Flint Hills job corps center grants account (652-00-1000-0290), the sum of \$782,064 is hereby lapsed.

(f) On the effective date of this act, of the \$360,693 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 79(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the governor's teaching excellence scholarships and awards account (652-00-1000-0770), the sum of \$140,755 is hereby lapsed.

(g) On the effective date of this act, of the \$89,659,017 appropriated for the above agency for the fiscal year ending June 30, 2021, by section 2(a) of chapter 19 of the 2019 Session Laws of Kansas from the state general fund in the state foundation aid account (652-00-1000-0820), the sum of \$18,897,038 is hereby lapsed.

New Sec. 2.

#### DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2022, the following:

Operating expenditures (including  
official hospitality) (652-00-1000-0053).....\$14,109,493

*Provided*, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

KPERS-school employer  
contributions-non-USDs (652-00-1000-0100).....\$41,853,675

*Provided*, That any unencumbered balance in the KPERS-school employer contributions-non-USDs account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

KPERS-school employer

contributions-USDs (652-00-1000-0110).....	\$537,971,506
<i>Provided</i> , That any unencumbered balance in the KPERS-school employer contributions-USDs account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.	
KPERS layering payment (652-00-1000-0120).....	\$6,400,000
KPERS layering payment #2 (652-00-1000-0121).....	\$19,400,000
ACT and workkeys assessments program (652-00-1000-0140).....	\$2,800,000
Mental health intervention team pilot (652-00-1000-0150).....	\$7,534,722
Education commission of the states (652-00-1000-0220).....	\$67,700
School safety hotline (652-00-1000-0230).....	\$10,000
School district juvenile detention facilities and Flint Hills job corps center grants (652-00-1000-0290).....	\$5,060,528
<i>Provided</i> , That any unencumbered balance in the school district juvenile detention facilities and Flint Hills job corps center grants account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: <i>Provided further</i> ; That expenditures shall be made from the school district juvenile detention facilities and Flint Hills job corps center grants account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-1173, and amendments thereto.	
School food assistance (652-00-1000-0320).....	\$2,510,486
Mentor teacher (652-00-1000-0440).....	\$1,300,000
Educable deaf-blind and severely handicapped children's programs aid (652-00-1000-0630).....	\$110,000
Special education services aid (652-00-1000-0700).....	\$512,880,818
<i>Provided</i> , That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: <i>Provided further</i> ; That expenditures shall not be made from the special education services aid account for the provision of instruction for any homebound or hospitalized child, unless the categorization of such child as exceptional is conjoined with the categorization of the child within one or more of the other categories of exceptionality: <i>And provided further</i> ; That expenditures shall be made from this account for grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-3425, and amendments thereto: <i>And provided further</i> ; That expenditures shall be made from the amount remaining in this account, after deduction of the expenditures specified in the foregoing provisos, for payments to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-	

3422, and amendments thereto.

Supplemental state aid (652-00-1000-0840).....	\$2,400,000
Center for READING project manager.....	\$80,000

*Provided*, That notwithstanding section 30(c) of 2021 House Bill No. 2007, for the fiscal year ending June 30, 2022, on or before July 15, 2021, the above agency shall determine the amount of moneys from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for such purpose to provide a project manager grant to the center for READING at Pittsburg state university; *Provided further*, That, of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute for House Bill No. 2196, 2021 Senate Substitute for House Bill No. 2208 or any other legislation passed by the legislature during the 2021 regular session and enacted into law, the above agency shall determine the remaining moneys available in special revenue funds; *And provided further*, That if the above agency in consultation with the director of the budget determines that federal moneys to the state for aid for coronavirus relief are available during fiscal year 2022 to be used for the purposes of this proviso, the director of the budget shall certify the amount of such federal coronavirus relief moneys to the director of accounts and reports and on the date of such certification, the sum of up to \$80,000 appropriated for the above agency for the fiscal year ending June 30, 2022, by this section from the state general fund in the center for READING project manager account, an amount equal to such certified amount is hereby lapsed; *And provided further*, That at the same time as the director of the budget transmits certification to the director of accounts and reports, the director of the budget shall transmit a copy of such certification to the director of legislative research; *And provided further*, That the above agency shall expend moneys in such account to provide a project manager grant to the center for reading at Pittsburg state university to: (1) Assist in the development and support of a science of reading curricula for the state educational institutions and colleges based on the knowledge and practice standards that have been adopted by the state department of education; (2) develop and support a recommended dyslexia textbook list for in-class learning for school districts to use; (3) develop and support a recommended dyslexia resources list for in-class learning for school districts to use; (4) provide knowledge and support for a train the trainer program and professional development curriculum for school districts to use; and (5) provide knowledge and support for developing a list of qualified trainers for school districts to hire.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2022, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the

following:

School district capital outlay state aid fund.....No limit

Educational technology  
 coordinator fund (652-00-2157-2157).....No limit

*Provided*, That expenditures shall be made by the above agency for the fiscal year ending June 30, 2022, from the educational technology coordinator fund of the department of education to provide data on the number of school districts served and cost savings for those districts in fiscal year 2022 in order to assess the cost effectiveness of the position of educational technology coordinator.

Communities in schools  
 program fund (652-00-2221-2400).....No limit

Inservice education workshop  
 fee fund (652-00-2230-2010).....No limit

*Provided*, That expenditures may be made from the inservice education workshop fee fund for operating expenditures, including official hospitality, incurred for inservice workshops and conferences: *Provided further*, That the state board of education is hereby authorized to fix, charge and collect fees for inservice workshops and conferences: *And provided further*, That such fees shall be fixed in order to recover all or part of such operating expenditures incurred for inservice workshops and conferences: *And provided further*, That all fees received for inservice workshops and conferences shall be deposited in the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the inservice education workshop fee fund.

Federal indirect cost  
 reimbursement fund (652-00-2312-2200).....No limit

Conversion of materials and  
 equipment fund (652-00-2420-2020).....No limit

School bus safety fund (652-00-2532-2300).....No limit

State safety fund (652-00-2538-2030).....No limit

*Provided*, That notwithstanding the provisions of K.S.A. 8-272, and amendments thereto, or any other statute, funds shall be distributed during fiscal year 2022 as soon as moneys are available.

Motorcycle safety fund (652-00-2633-2050).....No limit

Teacher and administrator  
 fee fund (652-00-2723-2060).....No limit

Service clearing fund (652-00-2869-2800).....No limit

School district capital  
 improvements fund (652-00-2880-2880).....No limit

*Provided*, That expenditures from the school district capital improvements fund shall be made only for the payment of general obligation bonds approved by voters under the

authority of K.S.A. 72-5457, and amendments thereto.

Reimbursement for services fund (652-00-3056-3200).....	No limit
ESSA – student support academic enrichment – federal fund (652-00-3113-3113).....	No limit
Educationally deprived children – state operations – federal fund (652-00-3131-3130).....	No limit
Food assistance – federal fund (652-00-3230-3020).....	No limit
Elementary and secondary school aid – federal fund (652-00-3233-3040).....	No limit
Education of handicapped children fund – federal (652-00-3234-3050).....	No limit
Community-based child abuse prevention – federal fund (652-00-3319-7400).....	No limit
TANF children's programs – federal fund (652-00-3323-0531).....	No limit
21 <sup>st</sup> century community learning centers – federal fund (652-00-3519-3890).....	No limit
State assessments – federal fund (652-00-3520-3800).....	No limit
Rural and low-income schools program – federal fund (652-00-3521-3810).....	No limit
Language assistance state grants – federal fund (652-00-3522-3820).....	No limit
State grants for improving teacher quality – federal fund (652-00-3526-3860).....	No limit
State grants for improving teacher quality – federal fund – state operations (652-00-3527-3870).....	No limit
Food assistance – school breakfast program – federal fund (652-00-3529-3490).....	No limit
Food assistance – national school lunch program – federal fund (652-00-3530-3500).....	No limit
Food assistance – child and adult care food program –	

federal fund (652-00-3531-3510).....	No limit
Elementary and secondary school aid –	
federal fund – local education	
agency fund (652-00-3532-3520).....	No limit
Education of handicapped	
children fund – state operations –	
federal fund (652-00-3534-3540).....	No limit
Education of handicapped	
children fund – preschool –	
federal fund (652-00-3535-3550).....	No limit
Education of handicapped	
children fund – preschool state	
operations – federal (652-00-3536-3560).....	No limit
Elementary and secondary school	
aid – federal fund – migrant	
education fund (652-00-3537-3570).....	No limit
Elementary and secondary school aid –	
federal fund – migrant education –	
state operations (652-00-3538-3580).....	No limit
Vocational education title I –	
federal fund (652-00-3539-3590).....	No limit
Vocational education title I – federal fund –	
state operations (652-00-3540-3600).....	No limit
Educational research grants and	
projects fund (652-00-3592-3070).....	No limit
Coronavirus relief fund –	
federal fund (652-00-3753).....	No limit
Local school district contribution program	
checkoff fund (652-00-7005-7005).....	No limit
Governor's teaching excellence	
scholarships program	
repayment fund (652-00-7221-7200).....	No limit

*Provided*, That all expenditures from the governor's teaching excellence scholarships program repayment fund shall be made in accordance with K.S.A. 72-2166, and amendments thereto: *Provided further*; That each such grant shall be required to be matched on a \$1-for-\$1 basis from nonstate sources: *And provided further*; That award of each such grant shall be conditioned upon the recipient entering into an agreement requiring the grant to be repaid if the recipient fails to complete the course of training under the national board for professional teaching standards certification program: *And provided further*; That all moneys received by the department of education for repayment of grants made under the governor's teaching excellence scholarships program shall be deposited in the state treasury in accordance with the provisions of

K.S.A. 75-4215, and amendments thereto, and shall be credited to the governor's teaching excellence scholarships program repayment fund.

Private donations, gifts, grants and bequests fund (652-00-7307-5000).....No limit

Family and children investment fund (652-00-7375).....No limit

State school district finance fund (652-00-7393).....No limit

Mineral production education fund (652-00-7669-7669).....No limit

(c) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2022, the following:

Children's cabinet accountability fund (652-00-2000-2402).....\$375,000

*Provided*, That any unencumbered balance in the children's cabinet accountability fund account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

CIF grants (652-00-2000-2408).....\$18,129,848

*Provided*, That any unencumbered balance in the CIF grants account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Quality initiative infants and toddlers (652-00-2000-2420).....\$500,000

*Provided*, That any unencumbered balance in the quality initiative infants and toddlers account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Early childhood block grant autism diagnosis (652-00-2000-2422).....\$50,000

*Provided*, That any unencumbered balance in the early childhood block grant autism diagnosis account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

Parent education program (652-00-2000-2510).....\$8,437,635

*Provided*, That any unencumbered balance in the parent education program account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022: *Provided further*, That expenditures from the parent education program account for each such grant shall be matched by the school district in an amount that is equal to not less than 50% of the grant.

Communities aligned in early development and education (652-00-2000-2550).....\$1,000,000

Pre-K pilot (652-00-2000-2535).....\$4,200,000

(d) On July 1, 2021, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-1,148 or 38-1808, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$50,000 from the family and children trust account of the family and children investment fund (652-00-7375-7900) of the department of education to the communities in schools program fund (652-00-2221-2400) of the department of education.

(e) On March 30, 2022, and June 30, 2022, or as soon thereafter as moneys are available, notwithstanding the provisions of K.S.A. 8-267 or 8-272, and amendments thereto, or any other statute, the director of accounts and reports shall transfer \$550,000 from the state safety fund (652-00-2538-2030) to the state general fund: *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state safety fund to the state general fund as prescribed by law: *Provided further*, That the amount transferred from the state safety fund to the state general fund pursuant to this subsection is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services that are performed on behalf of the department of education by other state agencies that receive appropriations from the state general fund to provide such services.

(f) On July 1, 2021, and quarterly thereafter, the director of accounts and reports shall transfer \$73,750 from the state highway fund of the department of transportation to the school bus safety fund (652-00-2532-2300) of the department of education.

(g) On July 1, 2021, the director of accounts and reports shall transfer an amount certified by the commissioner of education from the motorcycle safety fund (652-00-2633-2050) of the department of education to the motorcycle safety fund (561-00-2366-2360) of the state board of regents: *Provided*, That the amount to be transferred shall be determined by the commissioner of education based on the amounts required to be paid pursuant to K.S.A. 8-272(b)(2), and amendments thereto.

(h) On July 1, 2021, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$70,000 from the USAC E-rate program federal fund (561-00-3920-3920) of the state board of regents to the education technology coordinator fund (652-00-2157-2157) of the department of education.

(i) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2022, the following:

Children's cabinet administration (652-00-7000-7001).....\$260,535

*Provided*, That any unencumbered balance in the children's cabinet administration account in excess of \$100 as of June 30, 2021, is hereby reappropriated for fiscal year 2022.

(j) During the fiscal year ending June 30, 2022, the commissioner of education, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2022 from the state general fund for the department of education to another item of appropriation for fiscal year 2022 from the state general fund for the department of education. The commissioner of education shall certify each such transfer to the director of accounts and reports and shall transmit a copy of each such certification to the director of legislative research.

(k) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2022, the following:

KPERS – school employer  
contribution (652-00-1700-1700).....\$41,143,515

*Provided*, That during the fiscal year ending June 30, 2022, the amount appropriated from the expanded lottery act revenues fund in the KPERS – school employer contribution account (652- 00-1700-1700) for the department of education shall be for the purpose of reducing the unfunded actuarial liability of the Kansas public employees retirement system attributable to the state of Kansas and participating employers under K.S.A. 74-4931, and amendments thereto, in accordance with K.S.A. 74-8768, and amendments thereto.

(l) On July 1, 2021, of the \$2,440,966,522 appropriated for the above agency for the fiscal year ending June 30, 2022, by section 80(a) of chapter 5 of the 2020 Session Laws of Kansas from the state general fund in the state foundation aid account (652-00-1000-0820), the sum of \$3,344,193 is hereby lapsed.

(m) Notwithstanding the provisions of any other statute, any appropriation act or any other provision of this act, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for such purpose to provide school safety and security grants: *Provided*, That such expenditures shall not exceed \$5,000,000: *Provided further*, That expenditures shall be made for fiscal year 2022 for disbursements of grant moneys approved by the state board of education for the acquisition and installation of security cameras and any other systems, equipment and services necessary for security monitoring of facilities operated by a school district and for securing doors, windows and any entrances to such facilities: *Provided further*, That all moneys expended for school safety and security grants for fiscal year 2022 shall be matched by the receiving school district on a \$1-for-\$1 basis from other moneys of the district that may be used for such purpose as permitted under federal law: *Provided further*, That if the above agency determines such moneys may not be used for such purposes, expenditures shall not be made and the agency shall send a copy of such determination to the director of the budget and the director of legislative research.

(n) Notwithstanding the provisions of any other statute, any appropriation act or any other provision of this act, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123, the federal families first coronavirus

response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for such purpose for the mental health intervention team pilot program: *Provided*, That such expenditures shall not exceed \$3,924,160: *Provided further*, That if the above agency determines such moneys may not be used for such purposes, expenditures shall not be made and the agency shall send a copy of such determination to the director of the budget and the director of legislative research.

(o) Notwithstanding the provisions of any other statute, any appropriation act or any other provision of this act, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2022 from moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to the state for aid for coronavirus relief, expenditures shall be made by the above agency from such moneys that may be used for such purpose for the communities in schools program: *Provided*, That such expenditures shall not exceed \$100,000: *Provided further*, That if the above agency determines such moneys may not be used for such purposes, expenditures shall not be made and the agency shall send a copy of such determination to the director of the budget and the director of legislative research.

(p) In addition to the other purposes for which expenditures may be made by the above agency from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2022, expenditures shall be made by the above agency from such moneys to recommend additional compensation to each classroom teacher, paraprofessional and hourly employee who was employed by the board of education of a school district throughout school year 2020-2021 and who continues to be employed by the school district in school year 2021-2022; *Provided*, That the additional compensation recommended pursuant to this subsection shall not exceed \$500 and is intended to recognize and compensate the classroom teachers, paraprofessionals and hourly employees for the duties beyond the normal scope of employment during a pandemic, including, but not limited to, creation of new lesson plans for remote and distance instruction modes, classroom modifications for social distancing, maintaining sanitary conditions and conducting home visits: *Provided further*, That each board of education of a school district shall review the moneys received from the federal CARES act, public law 116-136, the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123, the federal families first coronavirus response act, public law 116-127, the federal paycheck protection program and health care enhancement act, public law 116-139, the federal consolidated appropriations act, 2021, public law 116-260, the American rescue plan act of 2021, public law 117-2, or any other federal law that appropriates moneys to

the state for aid for coronavirus relief, to determine if such funds may be available for such purpose: *And provided further*, That for the purposes of this section, "classroom teacher" means any person who holds a certificate to teach and is under contract to teach on a full-time basis by a board of education and any person who is under contract to teach on a full-time basis by a board of education but who does so pursuant to a licensure waiver granted pursuant to rules and regulations of the state department of education, and does not include any superintendent, assistant superintendent, supervisor or principal employed pursuant to K.S.A. 72-1134, and amendments thereto.

New Sec. 3.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

State foundation aid (652-00-1000-0820).....\$2,524,235,833

*Provided*, That any unencumbered balance in the state foundation aid account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

Supplemental state aid (652-00-1000-0840).....\$534,100,000

*Provided*, That any unencumbered balance in the supplemental state aid account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2023, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures other than refunds authorized by law and transfers to other state agencies shall not exceed the following:

State school district finance fund (652-00-7393).....No limit

Mineral production

education fund (652-00-7669-7669).....No limit

New Sec. 4. (a) The state department of education and the department for children and families shall collaborate to prepare a Kansas foster care children annual academic report card. The annual report card shall include the following data for the preceding school year:

- (1) The graduation rate of students in foster care;
- (2) the number and percentage of students in foster care who were promoted to the next grade level;
- (3) the number and percentage of students in foster care who were suspended during the school year and the average length of time of such suspensions;
- (4) the number and percentage of students in foster care who were expelled during the school year;
- (5) state standardized assessment scores for students in foster care, including the number and percentage of students meeting academic standards as determined by the

state board of education;

(6) the number and percentage of students in foster care enrolled in any preschool-aged at-risk program, Kansas preschool pilot program or early childhood special education program under section 619 of part B of the individuals with disabilities act;

(7) the number and percentage of students in foster care who participated in the mental health intervention team pilot program or a similar mental health program;

(8) the total number of students in foster care enrolled in a school district or nonpublic school and the disaggregated number and percentage of students in foster care enrolled in school districts and accredited nonpublic schools;

(9) de-identified disaggregated race and ethnicity data for each data set required in paragraphs (1) through (8); and

(10) any additional data elements that both the state department of education and the department for children and families deem appropriate for inclusion.

(b) On or before January 15 of each year, the state department of education and the department for children and families shall prepare and submit the Kansas foster care children annual academic report card to the senate standing committee on education and the house of representatives standing committee on education.

(c) As used in this section:

(1) "School" means any school of a school district or any nonpublic school accredited by the state board of education.

(2) "Student in foster care" means any individual who was in the custody of the Kansas department for children and families at any time when such student attended a school during the school year for which the report required pursuant to this section is to be completed.

(d) This section shall take effect and be in force from and after July 1, 2021.

New Sec. 5. (a) To assist students identified as eligible to receive at-risk educational programs and services in meeting state board of education outcome goals, the state board of education shall require school districts to implement at-risk educational programs and services that provide additional educational opportunities, interventions and evidence-based instruction using the at-risk best practices identified pursuant to K.S.A. 72-5153, and amendments thereto.

(b) A student shall be identified as eligible to receive at-risk programs and services if the student meets one or more of the following criteria:

(1) Is not working on academic grade level;

(2) is not meeting the requirements necessary for promotion to the next grade or is failing subjects or courses of study;

(3) is not meeting the requirements necessary for graduation from high school or has the potential to drop out of school;

(4) has insufficient mastery of skills or is not meeting state standards;

(5) has been retained;

- (6) has a high rate of absenteeism;
  - (7) has repeated suspensions or expulsions from school;
  - (8) is homeless or migrant;
  - (9) is identified as an English language learner;
  - (10) has social-emotional needs that cause the student to be unsuccessful in school;
- or
- (11) is identified as a student with dyslexia or characteristics of dyslexia.
- (c) This section shall be a part of and supplemental to the Kansas school equity and enhancement act.
- (d) This section shall take effect and be in force from and after July 1, 2021.

New Sec. 6. (a) Commencing in the 2021-2022 school year, except as otherwise provided in this section, no school district shall provide or offer to any student enrolled in the district more than a total of 40 school term hours of remote learning unless:

(1) The board of education of the school district has authorized a student to temporarily attend school through remote learning in excess of the 40-hour limitation pursuant to a temporary individual exemption granted pursuant to subsection (b); or

(2) due to a disaster, the state board of education has authorized the school district to conduct remote learning in excess of the 40-hour limitation pursuant to subsection (c) or has waived the limitations provided in subsection (d).

(b) The board of education of a school district may temporarily suspend the remote learning limitation provided in subsection (a) on an individual student basis for any student who cannot reasonably attend school in person due to an illness, medical condition, injury or any other extraordinary circumstance that would necessitate remote learning to allow the student to continue to receive an education during the existence of such circumstance. The board of education of the school district shall notify the state board of any individual exemptions provided pursuant to this subsection and the reason for such exemption.

(c) The state board of education may authorize a school district to exceed the 40-hour remote learning limitation upon application by the school district. The application may be granted by the state board of education upon:

(1) Certification by a school district that, due to a disaster, conditions resulting from widespread or severe property damage caused by the disaster or other conditions restricting the operation of public schools will exist in the school district for an inordinate period of time; and

(2) a determination by the state board that the school district cannot reasonably adjust its schedule to comply with the requirements of this section unless remote learning is conducted for a period of time not to exceed 240 school term hours, unless such limitation is waived by the state board pursuant to subsection (d).

(d) The state board of education may waive the requirements of law relating to the remote learning limitations pursuant to subsection (c) in any school year upon application for such waiver by a school district. The waiver may be granted by the state

board of education upon:

(1) Certification by a board of education that, due to a disaster, conditions resulting from widespread or severe property damage caused by the disaster or other conditions restricting the operation of public schools will exist in the school district for an inordinate period of time; and

(2) a determination by the state board that the school district cannot reasonably adjust its schedule to comply with such requirements of law and that remote learning beyond the limitations provided in subsection (c) is necessary to allow the school district to continue to provide education to students during such conditions.

(e) (1) Any student who attends a school of a school district through remote learning in excess of the remote learning limitations provided pursuant to this section shall be deemed a remote learning student and shall be counted as a remotely enrolled student for state aid purposes.

(2) On or before June 30 of each school year:

(A) A school district that offers remote learning during the school year shall determine the remote enrollment of the district based on the number of students remotely enrolled in accordance with this section;

(B) the clerk or superintendent of each school district shall certify under oath to the state board a report showing the remote enrollment of the school district determined pursuant to this subsection by the grades maintained in the schools of the school district. The state board shall examine such reports upon receipt, and if the state board finds any errors in any such report, the state board shall consult with the school district officer furnishing the report and make any necessary corrections in the report; and

(C) the state board shall determine the number of students who were included in the remote enrollment of each school district and recompute the enrollment of the school district as required pursuant to this subsection.

(3) A school district that offers remote learning and is determined to have remotely enrolled students pursuant to this section shall receive remote enrollment state aid. The state board shall determine the amount of remote enrollment state aid a school district is to receive by multiplying the remote enrollment of the school district by \$5,000. No remote enrollment state aid shall be provided for any student who participates in remote learning on a part-time basis during the school day.

(4) The state board shall notify each school district of the amount of remote enrollment state aid the district shall receive pursuant to this section and, pursuant to K.S.A. 72-5136, and amendments thereto, shall:

(A) Require the district to remit any such amount of overpayment made to the district in the current school year; or

(B) deduct the excess amounts paid to the district from future payments made to the school district.

(5) If a student is included in the remote enrollment of a district pursuant to this subsection, such student shall not be included in the adjusted enrollment of the district in the current school year.

(f) Each school district that determines remote enrollment pursuant to this section shall submit any documentation or information required by the state board.

(g) As used in this section, "disaster" means a state of disaster emergency declared by proclamation of the governor pursuant to K.S.A. 48-924, and amendments thereto, closure of schools by order issued by a county or joint board of health, a local health officer pursuant to K.S.A. 65-119, and amendments thereto, or the secretary of health and environment pursuant to K.S.A. 65-126, and amendments thereto, or occurrence of widespread or severe damage, injury or loss of life or property resulting from any natural or manmade cause, including, but not limited to, fire, flood, earthquake, tornado, wind, storm, an epidemic, air contamination, blight, drought, infestation or explosion.

(h) This section shall be a part of and supplemental to the Kansas school equity and enhancement act.

(i) This section shall take effect and be in force from and after July 1, 2021.

New Sec. 7. (a) Each eligible postsecondary educational institution that accepts students for enrollment pursuant to the Kansas challenge to secondary school students act shall submit a report annually to the state board of regents. Such report shall include, but not be limited to, the following:

(1) The number of students from each school district enrolled in the eligible postsecondary educational institution, including the number of students in the custody of the secretary for children and families;

(2) the number of students who successfully complete the courses in which such students are enrolled at the eligible postsecondary educational institution;

(3) the tuition rate charged for students compared to the tuition rate charged to individuals who are regularly enrolled and attending the eligible postsecondary educational institution; and

(4) the amount and percentage of tuition each school district is paying pursuant to K.S.A. 72-3223, and amendments thereto.

(b) The state board of regents shall compile and prepare a summary report of the reports submitted pursuant to subsection (a) and shall submit such report to the house standing committee on education and the senate standing committee on education on or before February 15 of each year commencing in 2022.

(c) This section shall take effect and be in force from and after July 1, 2021.

Sec. 8. On and after July 1, 2021, K.S.A. 72-1163 is hereby amended to read as follows: 72-1163. (a) Each year the board of education of a school district shall conduct an assessment of the educational needs of each attendance center in the district. Information obtained from such needs-assessment shall be used by the board when preparing the budget of the school district to ensure improvement in student academic performance. The budget of the school district shall allocate sufficient moneys in a manner reasonably calculated such that all students may achieve the goal set forth in K.S.A. 72-3218(c), and amendments thereto. The board also shall prepare a summary of the budget for the school district. The budgets and summary shall be in the form prescribed by the director pursuant to K.S.A. 79-2926, and amendments thereto.

(b) The budgets and the summary of the proposed budget shall be on file at the administrative offices of the school district. Copies of such budgets and summary shall be available upon request.

(c) The notice required to be published by K.S.A. 79-2929, and amendments thereto, shall include a statement that the budgets and the summary of the proposed budget is on file at the administrative offices of the district and that copies of such budgets and summary are available upon request.

Sec. 9. On and after July 1, 2021, K.S.A. 2020 Supp. 72-3117 is hereby amended to read as follows: 72-3117. (a) The state board of education may waive the requirements of law relating to the duration of the school term in any school year upon application for such waiver by a school district. The waiver may be granted by the state board of education upon:

(1) Certification by a board of education that, due to a disaster, conditions resulting from widespread or severe property damage caused by the disaster ~~or other conditions restricting the operation of public schools~~ will exist in the school district for an inordinate period of time; and

(2) a determination by the state board that the school district cannot reasonably adjust its schedule to comply with such requirements of law. The period of time school is not maintained during any school year due to conditions resulting from a disaster, upon granting of the waiver by the state board of education, shall be considered a part of the school term.

(b) As used in this section, the term "disaster" means ~~the declaration of a state of disaster emergency by the governor pursuant to K.S.A. 48-924, and amendments thereto, closure of schools by order issued by a county or joint board of health, a local health officer pursuant to K.S.A. 65-119, and amendments thereto, or the secretary of health and environment pursuant to K.S.A. 65-126, and amendments thereto, or~~ occurrence of widespread or severe damage, injury or loss of life or property resulting from any natural or manmade cause, including, but not limited to, fire, flood, earthquake, tornado, wind, storm, epidemics an epidemic, air contamination, blight, drought, infestation or explosion.

Sec. 10. On and after July 1, 2021, K.S.A. 72-3220 is hereby amended to read as follows: 72-3220. ~~(a) K.S.A. 72-3220 through 72-3224, and amendments thereto, and section 7, and amendments thereto,~~ shall be known and may be cited as the Kansas challenge to secondary school pupils students act.

~~(b) The provisions of this section shall take effect and be in force from and after July 1, 1993.~~

Sec. 11. On and after July 1, 2021, K.S.A. 72-3221 is hereby amended to read as follows: 72-3221. ~~(a) The legislature hereby declares that secondary school pupils~~ students should be challenged continuously in order to maintain their interests in the pursuit of education and skills critical to success in the modern world. ~~Therefore, It is the purpose and intention of the Kansas challenge to secondary school pupils students act to provide a means whereby that~~ school districts, in cooperation with institutions of postsecondary education, may provide new and exciting challenges to secondary school pupils students by encouraging ~~them~~ such students to take full advantage of the wealth of postsecondary ~~education~~ educational opportunities available in this state.

~~(b) The provisions of this section shall take effect and be in force from and after July 1, 1993.~~

Sec. 12. On and after July 1, 2021, K.S.A. 72-3222 is hereby amended to read as follows: 72-3222. As used in the Kansas challenge to secondary school ~~pupils~~ students act:

(a) ~~"Concurrent enrollment pupil"~~ "Student" means a person who: (1) Is enrolled in grades 10, 11 or 12 maintained by a school district, or a gifted child who is enrolled in any of the grades 9 through 12 maintained by a school district; (2) has an individualized plan of study or an individualized education program; (3) has demonstrated the ability to benefit from participation in the regular curricula of eligible postsecondary ~~education~~ educational institutions; (4) has been authorized by the principal of the school attended to apply for enrollment at an eligible postsecondary ~~education~~ educational institution; and (5) is acceptable or has been accepted for enrollment at an eligible postsecondary ~~education~~ educational institution.

(b) ~~"Eligible postsecondary education educational institution"~~ means any state educational institution, community college, municipal university, technical college or accredited independent institution.

(c) ~~"State educational institution" has the meaning ascribed thereto~~ means the same as defined in K.S.A. 76-711, and amendments thereto.

(d) ~~"Community college"~~ means any community college organized and operating under the laws of this state.

(e) ~~"Municipal university"~~ means a municipal university established under the provisions of article 13a of chapter 13 of ~~the~~ Kansas Statutes Annotated, and amendments thereto.

(f) ~~"Accredited independent institution" means an a not-for-profit institution of postsecondary education the main campus of which is located in Kansas and which that:~~ (1) Is operated independently and not controlled or administered by any state agency or any subdivision of the state; (2) maintains open enrollment; and (3) is accredited by the north central association of colleges and secondary schools accrediting agency based on its requirements as of April 1, 1985 a nationally recognized accrediting agency for higher education in the United States.

(g) ~~"Technical college" has the meaning ascribed thereto~~ means the same as defined in K.S.A. 74-32,407, and amendments thereto.

(h) ~~"Gifted child" has the meaning ascribed thereto~~ means the same as defined in K.S.A. 72-3404, and amendments thereto, or in rules and regulations adopted pursuant thereto.

Sec. 13. On and after July 1, 2021, K.S.A. 72-3223 is hereby amended to read as follows: 72-3223. (a) The board of education of any school district and any eligible postsecondary ~~education~~ educational institution may enter into a cooperative agreement regarding the dual or concurrent enrollment of ~~concurrent enrollment pupils~~ students in courses of instruction for college credit at the eligible postsecondary ~~education~~ educational institution. The agreement shall include, but need not be limited to, the following:

(1) The academic credit to be granted for course work successfully completed by the ~~pupil~~ student at the institution, which credit shall qualify ~~as college credit and may qualify~~ as both high school and college credit;

(2) the requirement that such course work qualify as credit applicable toward the award of a degree or certificate at the institution;

(3) except as otherwise provided in subsection (b), the requirement that ~~the pupil~~

~~shall pay to the institution the student shall pay~~ the negotiated amount of tuition and related costs charged by the institution for the student's enrollment of the pupil; and

(4) ~~the requirement that the eligible postsecondary educational institution shall notify the student or the student's parent or guardian if the course the student enrolled in at the eligible postsecondary educational institution is not a systemwide transfer course approved by the state board of regents and, as a result, the student may not receive credit for such course if the student transfers to or attends another state postsecondary educational institution.~~

(b) ~~The provisions of this section shall take effect and be in force from and after July 1, 1993. The board of education of a school district, in its discretion, may pay all or a portion of the negotiated amount of tuition and related costs, including fees, books, materials and equipment, charged by an eligible postsecondary educational institution for a student's enrollment in such institution. As part of any agreement entered into pursuant to this section, the board of education of a school district shall not be required to pay any amount of tuition and required fees that are waived for an eligible foster child pursuant to the foster child educational assistance act, K.S.A. 75-53,111 et seq., and amendments thereto, except that the board, in its discretion, may pay any related costs that are not waived pursuant to such act, including fees, books, materials and equipment, charged by an eligible postsecondary educational institution for the student's enrollment in such institution. Any such payment shall be paid directly to the eligible postsecondary educational institution and shall be credited to such student's account.~~

Sec. 14. On and after July 1, 2021, K.S.A. 72-3224 is hereby amended to read as follows: 72-3224. (a) ~~No school district shall be responsible for the payment of tuition charged to concurrent enrollment pupils by eligible education institutions or for the provision of transportation for such pupils. Except as otherwise provided in K.S.A. 72-3223(b), and amendments thereto, each student dually or concurrently enrolled in an eligible postsecondary educational institution pursuant to K.S.A. 72-3220 et seq., and amendments thereto, shall be responsible for the payment of the negotiated tuition and related costs, including fees, books, materials and equipment, charged by such institution for the student's enrollment.~~

(b) ~~The board of education of a school district, in its discretion, may provide for the transportation of a student to or from any eligible postsecondary education educational institution.~~

(b) ~~Each concurrent enrollment pupil shall be responsible for payment of tuition for enrollment at an eligible postsecondary education institution and for payment of the costs of books and equipment and any other costs of enrollment.~~

(c) ~~Each concurrent enrollment pupil student dually or concurrently enrolled in an eligible postsecondary educational institution pursuant to K.S.A. 72-3220 et seq., and amendments thereto, who satisfactorily completes course work at an eligible postsecondary education such institution shall be granted appropriate credit toward fulfillment of the requirements for graduation from high school unless such credit is denied by the school district in which the pupil is enrolled on the basis that high school credit is inappropriate for such course work.~~

(d) ~~The provisions of this section shall take effect and be in force from and after July 1, 1993. In order to remain eligible for participation in the program, a student shall remain in good standing at the eligible postsecondary educational institution or shall show satisfactory progress as determined by the school district.~~

(e) The provisions of the Kansas challenge to secondary school students act shall not apply to any career technical education courses or programs that receive financial assistance or funding pursuant to K.S.A. 72-3810 or 72-3819, and amendments thereto.

Sec. 15. On and after July 1, 2021, K.S.A. 2020 Supp. 72-4352 is hereby amended to read as follows: 72-4352. As used in the tax credit for low income students scholarship program act:

(a) "Contributions" means monetary gifts or donations and in-kind contributions, gifts or donations that have an established market value.

(b) "Department" means the Kansas department of revenue.

(c) "Educational scholarship" means an amount not to exceed \$8,000 per school year provided to an eligible student, or to a qualified school with respect to an eligible student, to cover all or a portion of the costs of education including tuition, fees and expenses of a qualified school and, if applicable, the costs of transportation to a qualified school if provided by such qualified school.

(d) "Eligible student" means a child who:

~~(1) (A) Is an at-risk student, as defined in K.S.A. 72-5132, and amendments thereto, and who is attending a public school; or (B) has been eligible to receive an educational scholarship under this program and has not graduated from high school or reached 21 years of age;~~

~~(2) Resides in Kansas while eligible for an educational scholarship; and~~

~~(3) (A)(2) (A) (i) Is eligible for free or reduced-price meals under the national school lunch act; and~~

~~(ii) (a) was enrolled in kindergarten or any of the grades one through eight in any public school in the previous school year in which an educational scholarship is first sought for the child; or~~

~~(B)(b) is eligible to be enrolled in any public school in the school year in which an educational scholarship is first sought for the child and the child is under the age of six years; or~~

~~(B) has received an educational scholarship under the program and has not graduated from high school or reached the age of 21 years.~~

(e) "Parent" includes a guardian, custodian or other person with authority to act on behalf of the child.

(f) "Program" means the tax credit for low income students scholarship program established in K.S.A. 72-4351 through 72-4357, and amendments thereto.

~~(g) "Public school" means an elementary school that is operated by a school district, and identified by the state board as one of the lowest 100 performing elementary schools with respect to student achievement among all elementary schools operated by school districts for the current school year any school operated by a unified school district under the laws of this state.~~

(h) "Qualified school" means any nonpublic school that:

~~(1) Provides education to elementary or secondary students;~~

~~(2) is accredited by the state board or a national or regional accrediting agency that is recognized by the state board for the purpose of satisfying the teaching performance assessment for professional licensure;~~

~~(3) has notified the state board of its intention to participate in the program; and~~

~~(4) complies with the requirements of the program. On and after July 1, 2020, a qualified school shall be accredited by the state board or a national or regional~~

accrediting agency that is recognized by the state board for the purpose of satisfying the teaching performance assessment for professional licensure.

(i) "Scholarship granting organization" means an organization that complies with the requirements of this program and provides educational scholarships to eligible students or to qualified schools in which parents have enrolled eligible students.

(j) "School district" or "district" means any unified school district organized and operating under the laws of this state.

(k) "School year" ~~shall have the meaning ascribed thereto~~ means the same as in K.S.A. 72-5132, and amendments thereto.

(l) "Secretary" means the secretary of revenue.

(m) "State board" means the state board of education.

Sec. 16. On and after July 1, 2021, K.S.A. 2020 Supp. 72-4354 is hereby amended to read as follows: 72-4354. (a) To be eligible to participate in the program, a scholarship granting organization shall comply with the following:

(1) The scholarship granting organization shall notify the secretary and the state board of the scholarship granting organization's intent to provide educational scholarships;

(2) upon granting an educational scholarship, the scholarship granting organization shall report such information to the state board;

(3) the scholarship granting organization shall provide verification to the secretary that the scholarship granting organization is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(4) upon receipt of contributions in an aggregate amount or value in excess of \$50,000 during a school year, a scholarship granting organization shall file with the state board either:

(A) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(B) financial information demonstrating the scholarship granting organization's ability to pay an aggregate amount equal to the amount of the contributions expected to be received during the school year, which must be reviewed and approved of in writing by the state board;

(5) scholarship granting organizations that provide other nonprofit services in addition to providing educational scholarships shall not commingle contributions made under the program with other contributions made to such organization. A scholarship granting organization under this subsection shall also file with the state board, prior to the commencement of each school year, either:

(A) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(B) financial information demonstrating the nonprofit organization's ability to pay an aggregate amount equal to the amount of the contributions expected to be received during the school year, which must be reviewed and approved of in writing by the state board;

(6) each qualified school receiving educational scholarships from the scholarship granting organization shall annually certify to the scholarship granting organization its compliance with the requirements of the program;

(7) at the end of the calendar year, the scholarship granting organization shall have its accounts examined and audited by a certified public accountant. Such audit shall

include, but not be limited to, information verifying that the educational scholarships awarded by the scholarship granting organization were distributed to qualified schools with respect to eligible students determined by the state board under K.S.A. 72-4353(c), and amendments thereto, and information specified in this section. Prior to filing a copy of the audit with the state board, such audit shall be duly verified and certified by a certified public accountant; and

(8) if a scholarship granting organization decides to limit the number or type of qualified schools who will receive educational scholarships, the scholarship granting organization shall provide, in writing, the name or names of those qualified schools to any contributor and the state board.

(b) No scholarship granting organization shall provide an educational scholarship with respect to any eligible student to attend any qualified school with paid staff or paid board members, or relatives thereof, in common with the scholarship granting organization.

(c) The scholarship granting organization shall disburse not less than 90% of contributions received pursuant to the program in the form of educational scholarships within 36 months of receipt of such contributions. If such contributions have not been disbursed within the applicable 36-month time period, then the scholarship granting organization shall not accept new contributions until 90% of the received contributions have been disbursed in the form of educational scholarships. Any income earned from contributions must be disbursed in the form of educational scholarships.

(d) A scholarship granting organization may continue to provide an educational scholarship with respect to a student who was an eligible student in the year immediately preceding the current school year.

~~(e)-(4)~~ A scholarship granting organization shall direct payments of educational scholarships to the qualified school attended by the eligible student or in which the eligible student is enrolled. Payment may be made by check made payable to both the parent and the qualified school or to only the qualified school. If an eligible student transfers to a new qualified school during a school year, the scholarship granting organization shall direct payment in a prorated amount to the original qualified school and the new qualified school based on the eligible student's attendance. If the eligible student transfers to a public school and enrolls in such public school after September 20 of the current school year, the scholarship granting organization shall direct payment in a prorated amount to the original qualified school and the public school based on the eligible student's attendance. The prorated amount to the public school shall be considered a donation and shall be paid to the school district of such public school in accordance with K.S.A. 72-1142, and amendments thereto.

~~(2) As used in this subsection, the term "public school" means any school operated by a school district.~~

(f) Each qualified school shall provide a link to the state department of education's webpage where the reports prepared pursuant to K.S.A. 72-5170, and amendments thereto, and K.S.A. 2020 Supp. 72-5178, and amendments thereto, for such school are published. The link shall be prominently displayed on the school's accountability reports webpage.

(g) By June 1 of each year, a scholarship granting organization shall submit a report to the state board for the educational scholarships provided in the immediately preceding 12 months. Such report shall be in a form and manner as prescribed by the

state board, approved and signed by a certified public accountant, and shall contain the following information:

- (1) The name and address of the scholarship granting organization;
- (2) the name and address of each eligible student with respect to whom an educational scholarship was awarded by the scholarship granting organization;
- (3) the total number and total dollar amount of contributions received during the 12-month reporting period; and
- (4) the total number and total dollar amount of educational scholarships awarded during the 12-month reporting period and the total number and total dollar amount of educational scholarships awarded during the 12-month reporting period with respect to eligible students who qualified under K.S.A. 72-4352(d), and amendments thereto.

~~(g)~~(h) No scholarship granting organization shall:

- (1) Provide an educational scholarship with respect to an eligible student that is established by funding from any contributions made by any relative of such eligible student; or
- (2) accept a contribution from any source with the express or implied condition that such contribution be directed toward an educational scholarship for a particular eligible student.

Sec. 17. On and after July 1, 2021, K.S.A. 2020 Supp. 72-5131 is hereby amended to read as follows: 72-5131. K.S.A. 72-5131 through 72-5176, and amendments thereto, and K.S.A. 2019 Supp. 72-5178 and 72-5179 *et seq.*, and amendments thereto, shall be known and may be cited as the Kansas school equity and enhancement act.

Sec. 18. On and after July 1, 2021, K.S.A. 2020 Supp. 72-5132 is hereby amended to read as follows: 72-5132. As used in the Kansas school equity and enhancement act, K.S.A. 72-5131 *et seq.*, and amendments thereto:

(a) "Adjusted enrollment" means the enrollment of a school district, excluding the remote enrollment determined pursuant to section 6, and amendments thereto, adjusted by adding the following weightings, if any, to the enrollment of a school district: At-risk student weighting; bilingual weighting; career technical education weighting; high-density at-risk student weighting; high enrollment weighting; low enrollment weighting; school facilities weighting; ancillary school facilities weighting; cost-of-living weighting; special education and related services weighting; and transportation weighting.

(b) "Ancillary school facilities weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5158, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

(c) (1) "At-risk student" means a student who is eligible for free meals under the national school lunch act, and who is enrolled in a school district that maintains an approved at-risk student assistance program.

(2) The term "at-risk student" shall not include any student enrolled in any of the grades one through 12 who is in attendance less than full time, or any student who is over 19 years of age. The provisions of this paragraph shall not apply to any student who has an individualized education program.

(d) "At-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5151(a), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by

such school districts.

(e) "Base aid for student excellence" or "BASE aid" means an amount appropriated by the legislature in a fiscal year for the designated year. The amount of BASE aid shall be as follows:

- (1) For school year 2018-2019, \$4,165;
- (2) for school year 2019-2020, \$4,436;
- (3) for school year 2020-2021, \$4,569;
- (4) for school year 2021-2022, \$4,706;
- (5) for school year 2022-2023, \$4,846; and

(6) for school year 2023-2024, and each school year thereafter, the BASE aid shall be the BASE aid amount for the immediately preceding school year plus an amount equal to the average percentage increase in the consumer price index for all urban consumers in the midwest region as published by the bureau of labor statistics of the United States department of labor during the three immediately preceding school years rounded to the nearest whole dollar amount.

(f) "Bilingual weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5150, and amendments thereto, on the basis of costs attributable to the maintenance of bilingual educational programs by such school districts.

(g) "Board" means the board of education of a school district.

(h) "Budget per student" means the general fund budget of a school district divided by the enrollment of the school district.

(i) "Categorical fund" means and includes the following funds of a school district: Adult education fund; adult supplementary education fund; at-risk education fund; bilingual education fund; career and postsecondary education fund; driver training fund; educational excellence grant program fund; extraordinary school program fund; food service fund; parent education program fund; preschool-aged at-risk education fund; professional development fund; special education fund; and summer program fund.

(j) "Cost-of-living weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5159, and amendments thereto, on the basis of costs attributable to the cost of living in such school districts.

(k) "Current school year" means the school year during which state foundation aid is determined by the state board under K.S.A. 72-5134, and amendments thereto.

(l) "Enrollment" means, except as provided in section 6, and amendments thereto:

(1) The number of students regularly enrolled in kindergarten and grades one through 12 in the school district on September 20 of the preceding school year plus the number of preschool-aged at-risk students regularly enrolled in the school district on September 20 of the current school year, except a student who is a foreign exchange student shall not be counted unless such student is regularly enrolled in the school district on September 20 and attending kindergarten or any of the grades one through 12 maintained by the school district for at least one semester or two quarters, or the equivalent thereof.

(2) If the enrollment in a school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means the sum of:

(A) The enrollment in the second preceding school year, excluding students under paragraph (2)(B), minus enrollment in the preceding school year of preschool-aged at-

risk students, if any, plus enrollment in the current school year of preschool-aged at-risk students, if any; and

(B) the adjusted enrollment in the second preceding school year of any students participating in the tax credit for low income students scholarship program pursuant to K.S.A. 72-4351 et seq., and amendments thereto, in the preceding school year, if any, plus the adjusted enrollment in the preceding school year of preschool-aged at-risk students who are participating in the tax credit for low income students scholarship program pursuant to K.S.A. 72-4351 et seq., and amendments thereto, in the current school year, if any.

(3) For any school district that has a military student, as that term is defined in K.S.A. 72-5139, and amendments thereto, enrolled in such district, and that received federal impact aid for the preceding school year, if the enrollment in such school district in the preceding school year has decreased from enrollment in the second preceding school year, the enrollment of the school district in the current school year means whichever is the greater of:

(A) The enrollment determined under paragraph (2); or

(B) the sum of the enrollment in the preceding school year of preschool-aged at-risk students, if any, and the arithmetic mean of the sum of:

(i) The enrollment of the school district in the preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any;

(ii) the enrollment in the second preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any; and

(iii) the enrollment in the third preceding school year minus the enrollment in such school year of preschool-aged at-risk students, if any.

(4) The enrollment determined under paragraph (1), (2) or (3), except if the school district begins to offer kindergarten on a full-time basis in such school year, students regularly enrolled in kindergarten in the school district in the preceding school year shall be counted as one student regardless of actual attendance during such preceding school year.

(m) "February 20" has its usual meaning, except that in any year in which February 20 is not a day on which school is maintained, it means the first day after February 20 on which school is maintained.

(n) "Federal impact aid" means an amount equal to the federally qualified percentage of the amount of moneys a school district receives in the current school year under the provisions of title I of public law 874 and congressional appropriations therefor, excluding amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program. The amount of federal impact aid shall be determined by the state board in accordance with terms and conditions imposed under the provisions of the public law and rules and regulations thereunder.

(o) "General fund" means the fund of a school district from which operating expenses are paid and in which is deposited all amounts of state foundation aid provided under this act, payments under K.S.A. 72-528, and amendments thereto, payments of federal funds made available under the provisions of title I of public law 874, except amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program and such other moneys as are provided by law.

(p) "General fund budget" means the amount budgeted for operating expenses in

the general fund of a school district.

(q) "High-density at-risk student weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5151(b), and amendments thereto, on the basis of costs attributable to the maintenance of at-risk educational programs by such school districts.

(r) "High enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5149(b), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

(s) "Juvenile detention facility" means the same as such term is defined in K.S.A. 72-1173, and amendments thereto.

(t) "Local foundation aid" means the sum of the following amounts:

(1) An amount equal to any unexpended and unencumbered balance remaining in the general fund of the school district, except moneys received by the school district and authorized to be expended for the purposes specified in K.S.A. 72-5168, and amendments thereto;

(2) an amount equal to any remaining proceeds from taxes levied under authority of K.S.A. 72-7056 and 72-7072, ~~and amendments thereto~~, prior to their repeal;

(3) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district under the provisions of K.S.A. 72-3123(a), and amendments thereto;

(4) an amount equal to the amount deposited in the general fund in the current school year from moneys received in such school year by the school district pursuant to contracts made and entered into under authority of K.S.A. 72-3125, and amendments thereto;

(5) an amount equal to the amount credited to the general fund in the current school year from moneys distributed in such school year to the school district under the provisions of articles 17 and 34 of chapter 12 of the Kansas Statutes Annotated, and amendments thereto, and under the provisions of articles 42 and 51 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto;

(6) an amount equal to the amount of payments received by the school district under the provisions of K.S.A. 72-3423, and amendments thereto;

(7) an amount equal to the amount of any grant received by the school district under the provisions of K.S.A. 72-3425, and amendments thereto; and

(8) an amount equal to 70% of the federal impact aid of the school district.

(u) "Low enrollment weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5149(a), and amendments thereto, on the basis of costs attributable to maintenance of educational programs by such school districts.

(v) "Operating expenses" means the total expenditures and lawful transfers from the general fund of a school district during a school year for all purposes, except expenditures for the purposes specified in K.S.A. 72-5168, and amendments thereto.

(w) "Preceding school year" means the school year immediately before the current school year.

(x) "Preschool-aged at-risk student" means an at-risk student who has attained the age of three years, is under the age of eligibility for attendance at kindergarten, and has been selected by the state board in accordance with guidelines governing the selection

of students for participation in head start programs.

(y) "Preschool-aged exceptional children" means exceptional children, except gifted children, who have attained the age of three years but are under the age of eligibility for attendance at kindergarten. The terms "exceptional children" and "gifted children" have the same meaning as those terms are defined in K.S.A. 72-3404, and amendments thereto.

(z) "Psychiatric residential treatment facility" means the same as such term is defined in K.S.A. 72-1173, and amendments thereto.

(aa)(1) "Remote enrollment" means the number of students regularly enrolled in kindergarten and grades one through 12 in the school district who attended school through remote learning in excess of the remote learning limitations provided in section 6, and amendments thereto.

(2) This subsection shall not apply in any school year prior to the 2021-2022 school year.

(bb)(1) "Remote learning" means a method of providing education in which the student, although regularly enrolled in a school district, does not physically attend the attendance center such student would otherwise attend in person on a full-time basis and curriculum and instruction are prepared, provided and supervised by teachers and staff of such school district to approximate the student learning experience that would take place in the attendance center classroom.

(2) "Remote learning" does not include virtual school as such term is defined in K.S.A. 72-3712, and amendments thereto.

(3) This subsection shall not apply in any school year prior to the 2021-2022 school year.

(cc) "School district" means a school district organized under the laws of this state that is maintaining public school for a school term in accordance with the provisions of K.S.A. 72-3115, and amendments thereto.

~~(bb)~~(dd) "School facilities weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5156, and amendments thereto, on the basis of costs attributable to commencing operation of one or more new school facilities by such school districts.

~~(ee)~~(ee) "School year" means the 12-month period ending June 30.

~~(dd)~~(ff) "September 20" has its usual meaning, except that in any year in which September 20 is not a day on which school is maintained, it means the first day after September 20 on which school is maintained.

~~(ee)~~(gg) "Special education and related services weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5157, and amendments thereto, on the basis of costs attributable to the maintenance of special education and related services by such school districts.

~~(ff)~~(hh) "State board" means the state board of education.

~~(gg)~~(ii) "State foundation aid" means the amount of aid distributed to a school district as determined by the state board pursuant to K.S.A. 72-5134, and amendments thereto.

~~(hh)~~(jj) (1) "Student" means any person who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 maintained by the school district or who is regularly enrolled in a school district and attending kindergarten or any of the grades one through 12 in another school district in

accordance with an agreement entered into under authority of K.S.A. 72-13,101, and amendments thereto, or who is regularly enrolled in a school district and attending special education services provided for preschool-aged exceptional children by the school district.

(2) (A) Except as otherwise provided in this subsection, the following shall be counted as one student:

(i) A student in attendance full-time; and  
 (ii) a student enrolled in a school district and attending special education and related services, provided for by the school district.

(B) The following shall be counted as  $\frac{1}{2}$  student:

(i) A student enrolled in a school district and attending special education and related services for preschool-aged exceptional children provided for by the school district; and

(ii) a preschool-aged at-risk student enrolled in a school district and receiving services under an approved at-risk student assistance plan maintained by the school district.

(C) A student in attendance part-time shall be counted as that proportion of one student to the nearest  $\frac{1}{10}$ , that the student's attendance bears to full-time attendance.

(D) A student enrolled in and attending an institution of postsecondary education that is authorized under the laws of this state to award academic degrees shall be counted as one student if the student's postsecondary education enrollment and attendance together with the student's attendance in either of the grades 11 or 12 is at least  $\frac{3}{6}$  time, otherwise the student shall be counted as that proportion of one student to the nearest  $\frac{1}{10}$ , that the total time of the student's postsecondary education attendance and attendance in grades 11 or 12, as applicable, bears to full-time attendance.

(E) A student enrolled in and attending a technical college, a career technical education program of a community college or other approved career technical education program shall be counted as one student, if the student's career technical education attendance together with the student's attendance in any of grades nine through 12 is at least  $\frac{5}{6}$  time, otherwise the student shall be counted as that proportion of one student to the nearest  $\frac{1}{10}$ , that the total time of the student's career technical education attendance and attendance in any of grades nine through 12 bears to full-time attendance.

(F) A student enrolled in a school district and attending a non-virtual school and also attending a virtual school shall be counted as that proportion of one student to the nearest  $\frac{1}{10}$ , that the student's attendance at the non-virtual school bears to full-time attendance.

(G) A student enrolled in a school district and attending special education and related services provided for by the school district and also attending a virtual school shall be counted as that proportion of one student to the nearest  $\frac{1}{10}$ , that the student's attendance at the non-virtual school bears to full-time attendance.

(H) A student enrolled in a school district and attending school on a part-time basis through remote learning and also attending school in person on a part-time basis shall be counted as that proportion of one student, to the nearest  $\frac{1}{10}$ , that the student's in-person attendance bears to full-time attendance.

(I) (i) Except as provided in clause (ii), a student enrolled in a school district who is

not a resident of Kansas shall be counted as follows:

- (a) For school year 2018-2019, one student;
- (b) for school years 2019-2020 and 2020-2021,  $\frac{3}{4}$  of a student; and
- (c) for school year 2021-2022 and each school year thereafter,  $\frac{1}{2}$  of a student.
- (ii) This subparagraph-(H) shall not apply to:
  - (a) A student whose parent or legal guardian is an employee of the school district where such student is enrolled; or
  - (b) a student who attended public school in Kansas during school year 2016-2017 and who attended public school in Kansas during the immediately preceding school year.
- (3) The following shall not be counted as a student:
  - (A) An individual residing at the Flint Hills job corps center;
  - (B) except as provided in paragraph (2), an individual confined in and receiving educational services provided for by a school district at a juvenile detention facility; and
  - (C) an individual enrolled in a school district but housed, maintained and receiving educational services at a state institution or a psychiatric residential treatment facility.
- (4) A student enrolled in virtual school pursuant to K.S.A. 72-3711 et seq., and amendments thereto, shall be counted in accordance with the provisions of K.S.A. 72-3715, and amendments thereto.

(5) A student enrolled in a school district who attends school through remote learning shall be counted in accordance with the provisions of this section and section 6, and amendments thereto.

~~(ii)(kk)~~ "Total foundation aid" means an amount equal to the product obtained by multiplying the BASE aid by the adjusted enrollment of a school district.

~~(ii)(ll)~~ "Transportation weighting" means an addend component assigned to the enrollment of school districts pursuant to K.S.A. 72-5148, and amendments thereto, on the basis of costs attributable to the provision or furnishing of transportation.

~~(kk)(mm)~~ "Virtual school" means the same as such term is defined in K.S.A. 72-3712, and amendments thereto.

Sec. 19. On and after July 1, 2021, K.S.A. 72-5151 is hereby amended to read as follows: 72-5151. (a) The at-risk student weighting of each school district shall be determined by the state board as follows:

(1) Determine the number of at-risk students included in the enrollment of the school district; and

(2) multiply the number determined under subsection (a)(1) by 0.484. The resulting sum is the at-risk student weighting of the school district.

(b) Except as provided in subsection (b)(4), the high-density at-risk student weighting of each school district shall be determined by the state board as follows:

(1) (A) If the enrollment of the school district is at least 35% at-risk students, but less than 50% at-risk students:

(i) Subtract 35% from the percentage of at-risk students included in the enrollment of the school district;

(ii) multiply the difference determined under subsection (b)(1)(A)(i) by 0.7; and

(iii) multiply the product determined under subsection (b)(1)(A)(ii) by the number of at-risk students included in the enrollment of the school district; or

(B) if the enrollment of the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of the school district by 0.105;

or

(2) (A) if the enrollment of a school in the school district is at least 35% at-risk students, but less than 50% at-risk students:

(i) Subtract 35% from the percentage of at-risk students included in the enrollment of such school;

(ii) multiply the difference determined under subsection (b)(2)(A)(i) by 0.7; and

(iii) multiply the product determined under subsection (b)(2)(A)(ii) by the number of at-risk students included in the enrollment of such school; or

(B) if the enrollment of a school in the school district is 50% or more at-risk students, multiply the number of at-risk students included in the enrollment of such school by 0.105; and

(C) add the products determined under subsections (b)(2)(A)(iii) and (b)(2)(B) for each such school in the school district, respectively.

(3) The high-density at-risk student weighting of the school district shall be the greater of the product determined under subsection (b)(1) or the sum determined under subsection (b)(2)(C).

(4) ~~Commencing in school year 2018-2019~~, School districts that qualify to receive the high-density at-risk student weighting pursuant to this section shall spend any money attributable to the school district's high-density at-risk student weighting on the at-risk best practices developed by the state board pursuant to K.S.A. 72-5153(d), and amendments thereto. If a school district that qualifies for the high-density at-risk student weighting does not spend such money on such best practices, the state board shall notify the school district that it shall ~~either spend such money on such best practices or shall show improvement within five years of notification. Improvement shall include, but not be limited to, the following: (A) The percentage of students at grade level on state math and English language arts assessments; (B) the percentage of students that are college and career ready on state math and English language arts assessments; (C) the average composite ACT score; or (D) the four-year graduation rate~~ repay such money to the school district's at-risk education fund. On or before January 15 of each year, the state board shall notify the house and senate standing committees on education, or any successor committees, which school districts had to repay such money and the amount of money such school district repaid for the preceding school year. If a school district does not spend such money on such best practices ~~and does not show improvement within five for three consecutive years~~, the school district shall not qualify to receive the high-density at-risk student weighting in the succeeding school year.

(5) The provisions of this subsection shall expire on July 1, ~~2020~~ 2024.

(c) The purpose of the at-risk student weighting and the high-density at-risk student weighting is to provide students identified as eligible to receive at-risk programs and services with evidence-based educational services in addition to regular instructional services.

(d) Upon a school district's receipt of state foundation aid, that portion of such state foundation aid that is directly attributable to such school district's at-risk student weighting and high-density at-risk student weighting, if any, shall be transferred to the district's at-risk education fund established under K.S.A. 72-5153, and amendments thereto.

Sec. 20. On and after July 1, 2021, K.S.A. 2020 Supp. 72-5153 is hereby amended to read as follows: 72-5153. (a) There is hereby established in every school district an

at-risk education fund, ~~which that~~ shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school district directly attributable to providing at-risk student assistance or programs shall be paid from the at-risk education fund.

(b) Any balance remaining in the at-risk education fund at the end of the budget year shall be carried forward into the at-risk education fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto. In preparing the budget of such school district, the amounts credited to and the amount on hand in the at-risk education fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

(c) ~~Commencing in school year 2018-2019,~~ Expenditures from the at-risk education fund of a school district shall only be made for the following purposes:

(1) ~~At-risk and provisional at-risk educational programs based on best practices identified pursuant to subsection (d);~~

(2) ~~personnel providing educational services in conjunction with such programs; or~~

(3) support for instructional classroom personnel designed to provide training for evidence-based best practices for at-risk educational programs; or

(4) ~~services contracted for by the school district to provide at-risk and provisional at-risk educational programs based on best practices identified pursuant to subsection (d).~~

(d) (1) The state board shall identify and approve evidence-based best practices for at-risk educational programs and instruction of students receiving at-risk program services. ~~On and after July 1, 2019,~~ Such best practices shall include, but not be limited to, programs and services provided by state-based national nonprofit organizations that:

(A) Focus on students who are identified as students eligible to receive at-risk program services or who face other identifiable barriers to success;

(B) provide evidence-based instruction and support services to such students inside and outside the school setting; and

(C) evaluate outcomes data for students, including, but not limited to, school attendance, academic progress, graduation rates, pursuit of postsecondary education or career advancement.

(2) The state board shall review and update such best practices as necessary and as part of its five-year accreditation system review process.

(3) The state board shall provide a list of approved at-risk educational programs to each school district. The department shall publish the list on the department's website with a link to such list prominently displayed on the website homepage.

(4) (A) No expenditure shall be made from a school district's at-risk education fund for any program or service that is not included on the list of approved at-risk educational programs, unless such program is a provisional at-risk educational program.

(B) Expenditures shall only be made for a provisional at-risk educational program for a period not to exceed three years after implementation of such provisional at-risk educational program by a school district. The state board shall review any such provisional at-risk educational program, and if such program satisfies the state board's requirements as an evidence-based best practice, then such program shall be included in the list of approved at-risk educational programs.

(5) The purpose of at-risk and provisional at-risk educational programs and services is to provide students identified as eligible to receive at-risk programs and services with additional educational opportunities, interventions and evidence-based instructional services above and beyond regular educational services.

(6) Delivery of at-risk and provisional at-risk programs or services by a school district may include, but shall not be limited to, the following:

- (A) Extended school year;
- (B) before-school programs and services;
- (C) after-school programs and services;
- (D) summer school;
- (E) extra support within a class;
- (F) tutorial assistance; and
- (G) class within a class.

(e) Each year the board of education of each school district shall prepare and submit to the state board a report on the ~~assistance or~~ at-risk and provisional at-risk educational programs provided by the school district for students identified as eligible to receive at-risk program services. Such report shall include:

(1) The number of students identified as eligible to receive at-risk or provisional at-risk educational program services who were served or provided assistance;

(2) the type of ~~service~~ at-risk and provisional at-risk educational programs and services provided, including the number of students provided assistance under the district's approved at-risk program;

(3) the ~~data and~~ research ~~upon which~~ the school district ~~relied~~ utilized in determining that a need for ~~service or assistance~~ existed, the results of providing such ~~service or assistance~~ what programs and services were needed to implement the approved at-risk program;

(4) the district shall track and report the longitudinal performance of students that are continuously receiving at-risk programs and services in the district's approved at-risk program and, if applicable, shall include data regarding state assessment scores, Kansas English language proficiency assessment results, four-year graduation rates, progress monitoring, norm-referenced test results, criterion-based test results, individualized education program goals, attendance and average ACT composite scores; and

(5) any other information required by the state board.

(f) In order to achieve uniform reporting of the number of students provided service or assistance by school districts in at-risk student programs, school districts shall report the number of students served or assisted in the manner required by the state board.

(g) As used in this section, ~~the term~~:

(1) "At-risk educational program" means an at-risk program or service that is identified and approved by the state board as an evidence-based best practice pursuant to subsection (d);

(2) "evidence-based instruction" means an education delivery system based on peer-reviewed research that consistently produces better student outcomes over a five-year period than would otherwise be achieved by the same students who are receiving at-risk program services; and

(3) "provisional at-risk educational program" means an evidence-based at-risk educational program or service identified or developed by a school district as producing

or likely to produce measurable success that has been submitted to the state board for review pursuant to subsection (d).

Sec. 21. On and after July 1, 2021, K.S.A. 2020 Supp. 72-5173 is hereby amended to read as follows: 72-5173. The legislative post audit committee shall direct the legislative division of post audit to conduct the following performance audits in the fiscal year specified:

(a) A performance audit of transportation services funding. The audit should include a comparison of the amount of transportation services funding school districts receive to the cost of providing transportation services. This performance audit shall be conducted during fiscal year 2018, and the final audit report shall be submitted to the legislature on or before January 15, 2018.

(b) A performance audit of at-risk education funding. The audit should evaluate the method of counting students for at-risk education funding, the level of the at-risk student weighting and high-density at-risk student weighting under the act and how school districts are expending moneys provided for at-risk education. This performance audit shall be conducted during fiscal year 2020, and the final audit report shall be submitted to the legislature on or before January 15, 2020.

(c) A performance audit of bilingual education funding. The audit should evaluate the method of counting students for bilingual education funding, the level of the bilingual weighting under the act and how school districts are expending moneys provided for bilingual education. This performance audit shall be conducted during fiscal year 2021, and the final audit report shall be submitted to the legislature on or before January 15, 2021.

(d) A study of statewide virtual school programs administered in other states. The study shall include, but not be limited to, the following:

(1) The aggregate cost incurred by each state administering a virtual school program, and the cost incurred by individual school districts or schools within each state;

(2) the resources necessary for the implementation of each virtual school program, including, but not limited to, personnel, equipment, software and facility usage;

(3) the scope of each virtual school program; and

(4) the effectiveness of each virtual school program with respect to student performance and outcomes.

The study shall be conducted during fiscal year 2023, and the final study report shall be submitted to the legislature on or before January 15, 2023.

(e) A performance audit of the unencumbered cash balances held in all funds by each school district. The audit should evaluate the annual accumulations of unencumbered cash balances for the preceding 10 years, the annual expenditures of such moneys and how school districts are expending such moneys. This performance audit shall be conducted no later than fiscal year 2021, and the final audit report shall be submitted to the legislature on or before January 15, 2021.

(f) (1) A performance audit to provide a reasonable estimate of the cost of providing educational opportunities for every public school student in Kansas to achieve the performance outcome standards adopted by the state board of education. This performance audit shall be conducted during fiscal year 2024, and the final report submitted to the legislature on or before January 15, 2024.

(2) The performance audit required under this subsection shall:

(A) Include reasonable estimates of the costs of providing specialized education services as required by law, including, but not limited to, bilingual education and at-risk programs; and

(B) account for other factors which may contribute to variations in costs incurred by school districts, including, but not limited to, total district enrollment and geographic location within the state.

(3) In conducting the performance audit required under this subsection:

(A) Any examination of historical data and expenditures shall correct any recognized inadequacy of such data or expenditure through a statistically valid method of extrapolation; and

(B) subject to the limitations of the division of legislative post audit budget and appropriations therefor, the legislative post auditor may enter into contracts with consultants as the post auditor deems necessary.

(g) A performance audit to provide a reasonable estimate of the costs of providing special education and related services, including, but not limited to, other factors which may contribute to variations in costs incurred by school districts. This performance audit shall be conducted during fiscal year 2019, and the final audit report shall be submitted to the legislature on or before January 15, 2019.

(h) A performance audit of at-risk education expenditures. The audit should evaluate how school districts are expending moneys provided for at-risk education, whether those expenditures comply with statutory provisions and whether the state board of education and the department of education are acting in accordance with statutory provisions related to at-risk expenditures and programs. This audit should also evaluate the trends in the academic outcomes of students receiving at-risk education program services. This performance audit shall be conducted during calendar year 2023, and the final audit report shall be submitted to the legislature on or before January 15, 2024.

Sec. 22. On and after July 1, 2021, K.S.A. 2020 Supp. 72-5178 is hereby amended to read as follows: 72-5178. (a) On or before January 15 of each year, the state department of education shall prepare and submit a performance accountability report and a longitudinal achievement report for all students enrolled in any public school or accredited nonpublic school in the state, each school district ~~and~~ each school operated by a school district and each accredited nonpublic school to the governor and to the legislature.

(b) Each performance accountability report shall be prepared in a single-page format containing the information that is required to be reported under the federal elementary and secondary education act, as amended by the federal every student succeeds act, public law 114-95, or any successor federal acts, and the college and career readiness metrics developed and implemented by the state board. The report shall use the categories for achievement identified under the federal every student succeeds act, public law 114-95, or any successor achievement categories. All categories and metrics included in the report shall be clearly defined.

(c) Each longitudinal achievement report shall provide the achievement rates on the state assessments for English language arts, math and science for all students and each student subgroup and the change in achievement rate year-over-year starting with the school year in which the state board first implemented new achievement standards on such state assessments.

(d) All reports prepared pursuant to this section shall be published in accordance with K.S.A. 2020 Supp. 72-1181, and amendments thereto.

Sec. 23. On and after July 1, 2021, K.S.A. 2020 Supp. 72-5179 is hereby amended to read as follows: 72-5179. (a) The state board of education shall provide the ACT college entrance exam and the three ACT workkeys assessments that are required to earn a national career readiness certificate to each student enrolled in grades 11 and 12, and the pre-ACT college entrance exam to each student enrolled in grade nine. No student shall be required to pay any fees or costs to take any such exam or assessments. The state board shall not be required to provide more than one exam and three assessments for each student. The state board of education may enter into any contracts that are necessary to promote statewide cost savings to administer such exams and assessments.

(b) The Kansas department of education and each school district shall annually publish on their websites the times, dates and locations of the pre-ACT college entrance exam, the ACT college entrance exam and the ACT workkeys assessments that are offered in Kansas and information for students on how to register for such exams or assessments.

(c) Participation in the pre-ACT college entrance exam, the ACT college entrance exam or the ACT workkeys assessment shall be optional. Nothing in this section shall be construed to require any student to participate in such exams or assessments.

(d) On or before the first day of each regular legislative session, the state board of education shall prepare and submit a report to the senate standing committee on education and the house standing committee or any successor committees on education that includes the aggregate exam and assessment data for all students who were provided the exams and assessments pursuant to this section.

(e) As used in this section, "student" means any person who is regularly enrolled in any public school or accredited nonpublic school located in Kansas.

Sec. 24. On and after July 1, 2021, K.S.A. 75-53,112 is hereby amended to read as follows: 75-53,112. As used in the Kansas foster child educational assistance act:

(a) "Kansas educational institution" means and includes any community college, the municipal university, state educational institution, the institute of technology at Washburn university or technical college.

(b) "Eligible foster child" means anyone who:

(1) (A) (i) Is in the custody of the secretary and in a foster care placement on the date such child attained 18 years of age; ~~(B) (ii) has been released from the custody of the secretary prior to attaining 18 years of age, after having graduated from a high school or fulfilled the requirements for a general educational development (GED) certificate while in foster care placement and the custody of the secretary;~~ ~~(C) (iii) is adopted from a foster care placement on or after such child's 16<sup>th</sup> birthday; or~~ ~~(D) (iv) left a foster care placement subject to a guardianship under chapter 38 or 59 of the Kansas Statutes Annotated, and amendments thereto, on or after such child's 16<sup>th</sup> birthday; or~~

(B) is a student as defined under the Kansas challenge to secondary school students act, K.S.A. 72-3220 et seq., and amendments thereto, and was in the custody of the secretary and in foster care placement at any time such child was enrolled in grades nine through 12 at a school of a school district; and

(2) enrolls in a Kansas educational institution ~~on or after July 1, 2006.~~

(c) "Kansas foster child educational assistance program" or "program" means the program established pursuant to the provisions of the Kansas foster child educational assistance act, which shall provide for: (1) Undergraduate enrollment of eligible foster children pursuant to subsection (b)(1)(A) through the semester the eligible foster child attains 23 years of age; or (2) undergraduate enrollment of eligible foster children pursuant to subsection (b)(1)(B) through the Kansas challenge to secondary schools act, K.S.A. 72-3220 et seq., and amendments thereto.

(d) "Educational program" means a program ~~which that~~ is offered and maintained by a Kansas educational institution and leads to the award of a certificate, diploma or degree upon satisfactory completion of course work requirements.

(e) "Secretary" means the secretary for children and families.

Sec. 25. On and after July 1, 2021, K.S.A. 72-1163, 72-3220, 72-3221, 72-3222, 72-3223, 72-3224, 72-5151 and 75-53,112 and K.S.A. 2020 Supp. 72-3117, 72-4352, 72-4354, 72-5131, 72-5132, 72-5153, 72-5173, 72-5178 and 72-5179 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after "ACT"; by striking lines 2 through 5; in line 6, by striking all before the period and inserting "concerning education; relating to the instruction and financing thereof; making and concerning appropriations for the department of education for fiscal years ending June 30, 2021, June 30, 2022, and June 30, 2023; requiring a Kansas foster care children annual academic report card; authorizing limited remote learning; providing the criteria for identification of students eligible to receive at-risk programs and services; requiring boards of education to allocate sufficient school district moneys to improve student academic performance; authorizing school districts to pay tuition and fees for concurrent and dual enrollment programs; expanding student eligibility under the tax credit for low income students scholarship program; extending the high-density at-risk weighting; providing ACT college entrance exams and workkeys assessments to certain nonpublic school students; amending K.S.A. 72-1163, 72-3220, 72-3221, 72-3222, 72-3223, 72-3224, 72-5151 and 75-53,112 and K.S.A. 2020 Supp. 72-3117, 72-4352, 72-4354, 72-5131, 72-5132, 72-5153, 72-5173, 72-5178 and 72-5179 and repealing the existing sections";

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

MOLLY BAUMGARDNER

RENEE ERICKSON

DINAH SYKES

*Conferees on part of Senate*

KRISTEY WILLIAMS

KYLE HOFFMAN

VALDENIA C. WINN

*Conferees on part of House*

On motion of Rep. Williams, the conference committee report on **HB 2134** was adopted.

On roll call, the vote was: Yeas 107; Nays 9; Present but not voting: 0; Absent or not voting: 9.

Yeas: Alcalá, Amyx, Anderson, Amberger, Baker, Ballard, Barker, Bergkamp,

Bergquist, Bishop, Blex, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, Francis, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Howe, Hoye, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Neelly, Neighbor, Ohaebosim, Orr, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burris, Fairchild, French, Helgerson, Houser, Jacobs, Lee-Hahn, Murphy, Samsel.

Present but not voting: None.

Absent or not voting: Awerkamp, Clark, Garber, Howard, Huebert, Newland, Rahjes, Rhiley, Victors.

#### EXPLANATION OF VOTE

MR. SPEAKER: I am incredibly disappointed that we have stripped the most effective accountability mechanisms out of this bill. The expansion of low income tax credits is a poor substitute for holding our schools accountable for every child they fail. We need to come back here next year and implement education savings accounts. In the interim, I will vote for **HB 2134** to keep our schools funded. – PAT PROCTOR

MR. SPEAKER: I am voting ‘no’ on **HB 2134**, not because I am against public education funding, because I see a need to reform our public education system that is not providing the education our children need today. We have continued to throw more money at the situation (as we did today with this budget bill) with no improvement with the outcome. Until we get accountability of where the money is going and why it isn’t producing results, I will not support providing any more money to the K-12 Education Budget. Our children don’t deserve to be stuck in this broken system. – DAVID FRENCH

On motion of Rep. Hawkins, the House recessed until 8:30 p.m.

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#### LATE EVENING SESSION

The House met pursuant to recess with Speaker pro tem Finch in the chair.

#### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 159**.

On motion of Rep. Hawkins, the House recessed until 10:00 p.m.

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#### NIGHT SESSION

The House met pursuant to recess with Speaker pro tem Finch in the chair.

**MESSAGES FROM THE SENATE**

The Senate not adopts the Conference Committee report on **HB 2313**, requests a conference and appoints Senators Claeys, Alley and Corson as Second conferees on the part of the Senate.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Hawkins, pursuant to subsection (k) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives, the rules were suspended for the purpose of considering **SB 273**.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Hawkins, the House acceded to the request of the Senate for a conference on **HB 2313**.

Speaker pro tem Finch thereupon appointed Reps. A. Smith, Mason and Gartner as second conferees on the part of the House.

On motion of Rep. Hawkins, the House recessed until 11:00 p.m.

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**LATE NIGHT SESSION**

The House met pursuant to recess with Speaker Ryckman in the chair.

**INTRODUCTION OF ORIGINAL MOTIONS**

In accordance with House Rule 2311, Rep. Hawkins moved that House Rule 101 be suspended to allow the House to meet between midnight and 8:00 a.m.

**INTRODUCTION OF ORIGINAL MOTIONS**

On motion of Rep. Hawkins, Joint Rule 3(f), regarding the distribution of conference committee reports, was suspended for the purpose of considering **SB 273**.

**CONFERENCE COMMITTEE REPORT**

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 273** 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 as House Substitute for Substitute for Senate Bill No. 273, as follows:

On page 1, by striking all in lines 9 through 35;

By striking all on pages 2 through 19;

On page 20, by striking all in lines 1 through 25; and inserting:

"New Section 1. (a) Sections 1 through 7, and amendments thereto, shall be known and may be cited as the COVID-19 small business relief act.

(b) As used in sections 1 through 7, and amendments thereto:

(1) "Act" means the COVID-19 small business relief act.

(2) "Board" means the COVID-19 small business relief claims board established

under section 3, and amendments thereto.

(3) (A) "Business" means a sole proprietorship, partnership, limited partnership, limited liability partnership, limited liability company or corporation that:

(i) Had 50 or fewer full-time equivalent employees during the period beginning March 12, 2021, and ending on the date such business files a claim pursuant to section 4, and amendments thereto; and

(ii) was organized under the laws of this state or authorized to do business in this state on March 12, 2020.

(B) "Business" does not include a not-for-profit corporation or business entity.

(4) "Governmental entity" means:

(A) The state of Kansas and any department or branch of state government, or any agency, authority, institution or other instrumentality thereof; and

(B) any county or city, or any agency, authority, institution or other instrumentality thereof.

(5) "Order" means any order issued by any governmental entity related to the COVID-19 pandemic.

(6) "Restriction" means any occupancy limitation, limitation on periods of operation or the exertion by any governmental entity of other significant control on business resources or functionality related to the COVID-19 pandemic. On and after May 31, 2021, any governmental entity mandating the use of face masks related to the COVID-19 pandemic that contains an enforcement requirement by Kansas businesses shall be considered a "restriction" under this act and subject to a claim for relief under this act.

(c) The provisions of this section shall expire on January 1, 2025.

New Sec. 2. (a) (1) There is hereby established in the state treasury the COVID-19 small business relief fund, which shall be administered by the legislative coordinating council. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports pursuant to vouchers approved by the chairperson of the legislative coordinating council or the designee of the chairperson.

(2) On and after April 1, 2023, any remaining moneys in the COVID-19 small business relief fund may be used in any manner consistent with state and federal law.

(3) (A) On or before February 15, 2023, the joint committee on special claims against the state shall meet and review the claims that have been accepted by a claimant pursuant to section 4, and amendments thereto, and shall report such committee's recommendation to the legislative coordinating council.

(B) On or before February 28, 2023, after receiving recommendations from the joint committee on special claims against the state, expenditures may be authorized by the legislative coordinating council and such requests may be approved by the members of the legislative coordinating council, as provided in K.S.A. 46-1202, and amendments thereto, acting on this matter, which is hereby characterized as a matter of legislative

delegation, except that such disbursements and expenditures may also be approved while the legislature is in session.

(4) After the legislative coordinating council has approved the expenditures, the chairperson shall:

(A) Authorize payment of the amount of relief to be paid to such claimant by the state from the COVID-19 small business relief fund established pursuant to this section; and

(B) notify any county or city of the relief to be paid to such claimant by such governmental entity from such entity's fund established pursuant to section 5 or 6, and amendments thereto.

(b) Except as provided in subsection (a)(2), unless prohibited by federal law, moneys in the COVID-19 small business relief fund shall be used only for the purpose of paying:

- (1) Claims as provided in section 4, and amendments thereto;
- (2) compensation and other expenses paid to members of the board;
- (3) administrative costs of the board and the office of the attorney general related to this act; and

(4) any repayment required by the federal government.

(c) (1) Notwithstanding the provisions of sections 2 through 4 of chapter 1 of the 2020 Special Session Laws of Kansas, any other statute, section 30(c) of 2021 House Bill No. 2007, or any other appropriation act, for the fiscal years ending June 30, 2021, and June 30, 2022, on or before July 15, 2021, the director of the budget shall determine the amount of moneys received by the state that are identified as moneys from the federal government for aid to the state of Kansas for coronavirus relief as appropriated in the following acts that are eligible to be used for the purposes of this act, may be expended at the discretion of the state, in compliance with the office of management and budget's uniform administrative requirements, cost principles and audit requirements for federal awards, and are unencumbered: (A) The federal CARES act, public law 116-136; (B) the federal coronavirus preparedness and response supplemental appropriation act, 2020, public law 116-123; (C) the federal families first coronavirus response act, public law 116-127; (D) the federal paycheck protection program and health care enhancement act, public law 116-139; (E) the federal consolidated appropriations act, 2021, public law 116-260; (F) the American rescue plan act of 2021, public law 117-2; and (G) any other federal law that appropriates moneys to the state for aid for coronavirus relief. If the state receives any such moneys from the federal government for aid to the state of Kansas for coronavirus relief after July 15, 2021, the director of the budget shall also identify such moneys for the purposes of fulfilling transfers required by this section.

(2) Of such identified moneys, following transfers required in 2021 Senate Substitute for Substitute for House Bill No. 2196 and 2021 Senate Substitute for House Bill No. 2208, the director of the budget shall transfer the amount certified in subsection (d) from the remaining moneys available in special revenue funds. The director of the budget shall certify the amount so determined from each fund to the director of

accounts and reports and, at the same time as such certification is transmitted to the director of accounts and reports, shall transmit a copy of such certification to the director of legislative research. Upon receipt of each such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall immediately transfer such certified amount from such funds to the COVID-19 small business relief fund of the legislative coordinating council.

(d) On or before September 15, 2021, the strengthening people and revitalizing Kansas executive committee, as established pursuant to section 63 of 2021 Senate Bill No. 159, shall meet to determine the amount of moneys necessary to pay for the claims, compensation, expenses, costs and repayments established in section 2(b), and amendments thereto. Upon making such determination, the chairperson of such executive committee shall certify such amount to the director of accounts and reports and shall transmit a copy of such certification to the director of the budget and the director of legislative research. Such amount shall be not more than 25% of such remaining moneys available in special revenue funds.

(e) The provisions of this section shall expire on January 1, 2025.

New Sec. 3. (a) (1) There is hereby established under the jurisdiction of the attorney general the COVID-19 small business relief claims board.

(2) The board shall consist of three members appointed as follows: (A) One member appointed by the governor; (B) one member appointed by the president of the senate; and (C) one member appointed by the speaker of the house of representatives. The appointments shall be made on or before July 1, 2021.

(3) Members of the board shall be: (A) Residents of the state; (B) selected with special reference to training and experience for duties imposed by this act; and (C) individuals who are recognized for outstanding knowledge and leadership in the fields of finance or business. At least one member of the board shall be an attorney regularly admitted to practice law in the state of Kansas.

(4) The board shall elect a chairperson from among its members. The board shall meet on call of the chairperson. A quorum shall consist of two members of the board. All actions of the board shall be taken by a majority of the members of the board.

(5) Members of the board attending meetings of the board shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

(b) The board shall have authority to hire expert consultants to provide information and assistance and gather information as required to carry out the board's duties. Such expert consultants shall work in coordination and in compliance with staff at the Kansas office of recovery to ensure compliance with federal guidelines and requirements for moneys received related to the COVID-19 pandemic.

(c) On or before September 15, 2021, the board shall, in coordination with the Kansas office of recovery, adopt policies and procedures in compliance with federal guidelines and requirements for moneys received related to the COVID-19 pandemic that are necessary to facilitate the settlement of claims through the processes provided by this act, including, but not limited to, the form and manner of submitting claims to

the board and the procedures for review of claims by the board. The board may adopt rules and regulations to implement and administer the provisions of this act.

(d) The provisions of this section shall expire on January 1, 2025.

New Sec. 4. (a) (1) This act shall be administered by the board, with the assistance and support of the office of the attorney general, and all claims submitted pursuant to this act shall be for businesses impacted by an order making a restriction related to the COVID-19 pandemic. A business may file a claim with the board in a form and manner provided by the board.

(2) All claims brought under this act shall be filed with the board during the period beginning on October 1, 2021, and ending on December 31, 2021.

(3) Any such claim shall be accompanied by:

(A) Proof that the claimant is a business as defined in section 1, and amendments thereto;

(B) a copy of the claimant's 2019 and 2020 Kansas income tax returns, if applicable;

(C) proof of the claimant's business income in 2019, 2020 and 2021, if the claimant's business was in existence in any such years; and

(D) an affidavit as described in paragraph (4).

(4) The claimant shall submit an affidavit by an authorized representative of the business under penalty of perjury stating:

(A) Whether the claimant was ordered by a governmental entity to cease all operations or was otherwise restricted in such claimant's operation by an order making a restriction;

(B) the number of days that the claimant was ordered by a governmental entity to cease all operations and the number of days such claimant was restricted in any way in its operations due to an order making a restriction;

(C) the governmental entity that issued each applicable order making a restriction;

(D) a description of how the claimant was impacted financially by each order making a restriction;

(E) whether the claimant's operations were deemed essential or not essential under the Kansas essential functions framework pursuant to an executive order issued by the governor or an order issued by a local authority;

(F) the source and amount of any governmental grants related to the COVID-19 pandemic that were received by the claimant or governmental loans related to the COVID-19 pandemic made to the claimant that were forgiven by a governmental entity;

(G) the amount of any benefits the claimant received under the employment security law of this state;

(H) whether the claimant has received any tax refund, rebate or other tax relief related to the COVID-19 pandemic; and

(I) the percentage of the relief granted that the claimant projects to use for employee pay, salary, compensation or benefits.

(5) The claimant shall submit any other information required by the board to resolve the claim.

(6) Any information received pursuant to this subsection shall be confidential, shall not be disclosed and shall not be subject to subpoena, discovery or introduction into evidence in any civil or criminal proceeding, except that such information may be disclosed to: (A) The board; (B) any employees of the board or the office of the attorney general in support of the board's duties; and (C) federal or state agencies, when necessary in the performance of their official duties or functions. Such information shall not be a public record and shall not be subject to the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this paragraph shall not be required to be reviewed by the legislature and shall not expire in accordance with K.S.A. 45-229, and amendments thereto.

(b) (1) The board shall decide each claim based on the information submitted pursuant to this section or otherwise obtained by the board, and no hearings shall be required.

(2) Notwithstanding any other provision of law, a meeting of the board to decide a claim or conduct an informal reconsideration hearing shall not be subject to the Kansas administrative procedure act, K.S.A. 77-501 et seq., and amendments thereto, and shall not be subject to the Kansas open meetings act, K.S.A. 75-4317 et seq., and amendments thereto.

(c) In evaluating the claim award, the board shall consider the following factors for each claim:

(1) The duration and nature of the impact of each order making a restriction, including:

(A) The imposition of any curfew, occupancy restriction or other restriction on business operations; and

(B) any added duties prescribed by law on businesses in order to comply with any governmental order that applied to business operations;

(2) reasonable costs related to the filing of the claim under the procedures outlined in this act;

(3) any extraordinary contributions by the business that benefited the general public of the state;

(4) any relevant factors listed in the Kansas eminent domain procedure act, the Kansas condemnation law or the Kansas private property protection act;

(5) the moneys available for distribution from the applicable fund or funds and the number of claims against such fund or funds;

(6) any governmental grants related to the COVID-19 pandemic that were received by the claimant or governmental loans related to the COVID-19 pandemic made to the claimant that were forgiven by a governmental entity;

(7) the amount of any benefits the claimant received under the employment security law of this state;

(8) whether the claimant has received any tax refund, rebate or other tax relief related to the COVID-19 pandemic;

(9) the percentage of the relief granted that the claimant projects to use for employee pay, salary, compensation or benefits; and

(10) the extent to which non-governmental orders or restrictions and consumer behavior contributed to the monetary loss claimed by the business. The board shall quantify the amount of the claimed loss attributable to non-governmental orders or restrictions and consumer behavior and shall not grant relief for such amount.

(d) (1) On or before September 30, 2022, the board shall decide on all claims filed pursuant to this section and issue a written decision that either grants or denies relief for each claim. The board shall issue all of the written decisions on such claims on the same date.

(2) A written decision that grants relief shall:

(A) Specify the amount of relief to be paid to the claimant as calculated under this section and approved by the board;

(B) identify the governmental entity that issued the applicable order making a restriction;

(C) assign the amount of relief to be paid to the claimant according to the governmental entity that issued the applicable order making a restriction;

(D) notify the claimant that if the claimant does not use at least the percentage of the relief such claimant projected to use for employee pay, salary, compensation or benefits for such items, such relief may be subject to repayment; and

(E) notify the claimant of the right to an informal reconsideration pursuant to subsection (e).

(3) No relief to be paid shall be assigned to a county if the applicable order issued by the county was less restrictive than an applicable order issued by the state. If the applicable order issued by the county was the same as an applicable order issued by the state, the board may assign up to 50% of the relief to be paid to the county based on availability of moneys in such county's fund established pursuant to section 5, and amendments thereto.

(4) No relief to be paid shall be assigned to a city if the applicable order issued by the city was the same or less restrictive than an applicable order issued by the state or the county where such city is located.

(5) The claimant shall notify the board in writing whether the claimant declines such relief within 15 days of receipt of the written decision. If the claimant does not make such notification, the claim shall be deemed accepted.

(6) A written decision that denies relief shall specify the reasons for such decision and notify the claimant of the right to an informal reconsideration pursuant to subsection (e). The claimant shall notify the board in writing whether the claimant

challenges such decision within 15 days of receipt of the written decision.

(e) (1) A claimant may request reconsideration of the decision of the board by requesting an informal hearing to be conducted by the board. Following such hearing, the board shall issue a written decision either granting or denying relief. A written decision granting relief shall comply with the provisions of subsection (d)(2)(A) through (d)(2)(D).

(2) A claimant shall notify the board in writing whether the claimant declines such relief within 15 days of receipt of the written decision. If the claimant does not make such notification, the claim shall be deemed accepted.

(f) On or before January 31, 2023, after the board has issued all written decisions under subsection (e), the board shall report all the claims in which the relief has been accepted by the claimant to the joint committee on special claims against the state in an open meeting. The committee shall review such claims and shall make a recommendation on such claims to the legislative coordinating council pursuant to section 2, and amendments thereto.

(g) On or before March 1, 2024, any claimant who receives relief under section 2, and amendments thereto, shall report to the attorney general the actual percentage of the relief granted such claimant used for employee pay, salary, compensation or benefits. If such percentage is less than the percentage of the relief such claimant projected to use for employee pay, salary, compensation or benefits, the attorney general shall order the claimant to pay the full projected percentage to such claimant's employees or repay the difference between the projected percentage and the actual percentage to the attorney general. Any repayment received by the attorney general 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 COVID-19 small business relief fund.

(h) If a claimant files a claim with the board pursuant to this act, such claimant shall be prohibited from filing any claim in a civil action against the state and all subdivisions of government and each of their officers, employees, agents and representatives seeking damages or any other monetary relief based on an order making a restriction related to the COVID-19 pandemic, including, but not limited to, a claim under K.S.A. 48-933, and amendments thereto, the Kansas private property protection act, K.S.A. 77-701 et seq., and amendments thereto, or any claim related to compensation for a governmental taking. A claimant shall not be prohibited from filing any claim in a civil action seeking injunctive, declaratory or other nonmonetary relief.

(i) (1) Nothing in this act shall create any property right or right in action. The courts shall have no jurisdiction to entertain any action against the board, the attorney general or the state of Kansas, or any officer or agent thereof, founded on a claim that the claimant should have received different or better treatment pursuant to this act.

(2) Determinations made by the board pursuant to this act, including, but not limited to, the eligibility of any business for relief and the determination of the proper amount of such relief, if any, shall be committed to the sole discretion of the board based on the information available to it and shall not be subject to appeal or judicial review.

(j) The provisions of this section shall expire on January 1, 2025.

New Sec. 5. (a) The board of county commissioners of any county that issues, or previously issued, an order making a restriction under this act shall establish, by adoption of a resolution, a county COVID-19 small business relief fund. The board of county commissioners shall designate an officer of the county as the administrator of such fund.

(b) The officer of the county designated as the administrator of such fund shall determine the amount of moneys received by the county on and after January 1, 2021, that are identified as moneys from the federal government for coronavirus relief aid to the county that may be expended at the discretion of the county and are unencumbered. Of such identified moneys, such officer shall determine 35% of such moneys available in county funds. The officer shall certify the amount so determined from each county fund to the board of county commissioners and transfer such certified amount from such county funds to the county COVID-19 small business relief fund. At the same time as such certification is transmitted to the board of county commissioners, the officer shall transmit a copy of such certification to the director of legislative research and to the attorney general.

(c) Except as provided in subsection (d), unless prohibited by federal law, moneys in the county COVID-19 small business relief fund shall be used only for the purpose of paying relief amounts authorized by the legislative coordinating council pursuant to section 2, and amendments thereto. Upon receipt of a notification from the legislative coordinating council that relief is to be paid to a claimant by the county from such fund, the county shall pay such relief and provide notice of payment to the legislative coordinating council.

(d) On and after April 1, 2023, any remaining moneys in the county COVID-19 small business relief fund may be used in any manner consistent with state and federal law upon adoption of a resolution by the board of county commissioners. Such resolution shall abolish the county COVID-19 small business relief fund on December 31, 2024, and all pending or future claims against the fund are hereby declared to be null and void.

(e) The provisions of this section shall expire on January 1, 2025.

New Sec. 6. (a) The governing body of a city that issues, or previously issued, an order making a restriction under this act shall establish, by adoption of an ordinance, a city COVID-19 small business relief fund. The governing body of the city shall designate an officer of the city as the administrator of such fund.

(b) The officer of the city designated as the administrator of such fund shall determine the amount of moneys received by the city on and after January 1, 2021, that are identified as moneys from the federal government for coronavirus relief aid to the city that may be expended at the discretion of the city and are unencumbered. Of such identified moneys, such officer shall determine 35% of such moneys available in city funds. The officer shall certify the amount so determined from each city fund to the governing board of the city and transfer such certified amount from such city funds to the city COVID-19 small business relief fund. At the same time as such certification is transmitted to the governing body of the city, the officer shall transmit a copy of such

certification to the director of legislative research and to the attorney general.

(c) Except as provided in subsection (d), unless prohibited by federal law, moneys in the city COVID-19 small business relief fund shall be used only for the purpose of paying relief amounts as authorized by the legislative coordinating council pursuant to section 2, and amendments thereto. Upon receipt of a notification from the legislative coordinating council that relief is to be paid to a claimant by the city from such fund, the city shall pay such relief and provide notice of payment to the legislative coordinating council.

(d) On and after April 1, 2023, any remaining moneys in the city COVID-19 small business relief fund may be used in any manner consistent with state and federal law upon adoption of an ordinance by the governing body of the city. Such ordinance shall abolish the city COVID-19 small business relief fund on December 31, 2024, and all pending or future claims against the fund are hereby declared to be null and void.

(e) The provisions of this section shall expire on January 1, 2025.

New Sec. 7. (a) The provisions of this act are severable. If any portion of the act is declared unconstitutional or invalid, or the application of any portion of the act to any person or circumstance is held unconstitutional or invalid, the invalidity shall not affect other portions of the act that can be given effect without the invalid portion or application, and the applicability of such other portions of the act to any person or circumstance shall remain valid and enforceable.

(b) The provisions of this section shall expire on January 1, 2025.

New Sec. 8. (a) The legislative post audit committee shall direct the legislative division of post audit to conduct a study of the performance of the board in carrying out the actions required by section 4, and amendments thereto. Such study shall include an analysis of the methods used by the board in making recommendations to the joint committee on special claims against the state.

(b) The study shall include a randomized study of not less than 10% of the total number of claims filed under section 4, and amendments thereto. The study may include information related to the process used by the board to grant or deny reconsideration requests.

(c) The legislative division of post audit shall report to the joint committee on special claims against the state and provide a summary of the findings of such study prior to January 31, 2023.

(d) The provisions of this section shall expire on January 1, 2025.

Sec. 9. K.S.A. 48-933 is hereby amended to read as follows: 48-933. (a) Each person within this state shall act and manage the affairs of such person and such person's property in any way which reasonably will assist and not detract from the ability of the state and the public successfully to meet disasters. This obligation includes appropriate personal service and use or restriction on the use of property during a declared state of disaster emergency under K.S.A. 48-924, and amendments thereto, or a declared state of local disaster emergency under K.S.A. 48-932, and amendments thereto. This act neither increases nor decreases these obligations, but recognizes their existence under the constitution and statutes and the common law of this state.

Compensation for services or for the taking or use of property shall be only to the extent that obligations recognized in this subsection are exceeded in a particular case and then only to the extent that the claimant may not be deemed to have volunteered services or property without compensation.

(b) No personal services may be compensated by the state or any subdivision or agency thereof, except pursuant to statute enacted or ordinance duly adopted therefor.

(c) Compensation for property shall be only if the property was commandeered or otherwise used in coping with a disaster and its use or destruction was ordered by the governor, adjutant general, an official of a county, city or interjurisdictional disaster agency, or some other authorized member of the emergency management forces of this state.

(d) Any person claiming compensation for the use, damage, loss or destruction of property under this act shall file a claim therefor in the district court in the same manner as any other civil action. The court shall determine the validity of such claim in the same manner and under the same conditions prescribed for condemnation actions pursuant to K.S.A. 26-501 et seq., and amendments thereto. Unless the amount of compensation on account of property damaged, lost or destroyed is agreed upon by the claimant and the adjutant general, the amount of compensation shall be calculated in the same manner as compensation due for a taking of property pursuant to the condemnation law of this state.

(e) Nothing in this section:

(1) Authorizes compensation for intangible losses occurring during the state of disaster emergency related to the COVID-19 health emergency described in K.S.A. 2020 Supp. 48-924b, and amendments thereto; or

(2) applies to or authorizes compensation for the destruction or damaging of standing timber or other property in order to provide a fire break or for the release of waters or the breach of impoundments in order to reduce pressure or other danger from actual or threatened flood.

Sec. 10. K.S.A. 48-933 is hereby repealed.";

Also on page 20, in line 27, 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 "ACT"; by striking lines 2 through 5; in line 6, by striking all before the period and inserting "enacting the COVID-19 small business relief act; providing funds for impacted small businesses; making and concerning appropriations for the fiscal years ending June 30, 2021, and June 30, 2022, June 30, 2023, and June 30, 2024; authorizing certain transfers and imposing certain limitations; creating the COVID-19 small business relief fund and providing procedures for the administration of such fund by the legislative coordinating council; creating the COVID-19 small business relief claims board and providing for administration of this act by the board with the assistance of the attorney general; requiring certain counties to establish and administer a county COVID-19 small business relief fund and certain cities to establish and administer a city COVID-19 small business relief fund; requiring a study by the legislative division of post audit; prohibiting compensation for intangible losses related to the COVID-19 public health emergency under the Kansas emergency management act; amending K.S.A. 48-933 and repealing the existing section";

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

FRED PATTON

BRADLEY RALPH

JOHN CARMICHAEL

*Conferees on part of House*

KELLIE WARREN

RICHARD WILBORN

DAVID HALEY

*Conferees on part of Senate*

On motion of Rep. Patton, to adopt the conference committee report on **SB 273**, Rep. Carmichael offered a substitute motion to not adopt the conference committee report and that a new conference committee be appointed.

Roll call was demanded on the substitute motion of Rep. Carmichael.

On roll call, the vote was: Yeas 42; Nays 65; Present but not voting: 1; Absent or not voting: 17.

Yeas: Alcalá, Amyx, Ballard, Barker, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Donohoe, Featherston, French, Gartner, Haswood, Henderson, Highberger, Hoye, Jacobs, Kuether, Lee-Hahn, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Nays: Anderson, Arnberger, Bergkamp, Bergquist, Borjon, Burris, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Howe, Humphries, Jennings, T. Johnson, Kelly, Kessler, Landwehr, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Owens, F. Patton, Penn, Poetter, Proctor, Proehl, Rahjes, Ralph, Resman, Ryckman, Sanders, Schreiber, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Toplikar, Turner, Waggoner, Wasinger, Waymaster, K. Williams.

Present but not voting: Houser.

Absent or not voting: Averkamp, Baker, Blex, Carlson, Finney, Garber, Helgerson, Howard, Huebert, S. Johnson, Newland, Orr, Rhiley, Samsel, Seiwert, Thompson, Victors.

The substitute motion of Rep. Carmichael did not prevail and the question reverted back to the original motion of Rep. Patton to adopt the conference committee report.

On motion of Rep. Patton, the conference committee report on **SB 273** was adopted.

On roll call, the vote was: Yeas 68; Nays 42; Present but not voting: 1; Absent or not voting: 14.

Yeas: Anderson, Arnberger, Bergkamp, Bergquist, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Howe, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Owens, F. Patton, Penn, Proctor, Proehl, Rahjes, Ralph, Resman, Ryckman, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Toplikar, Turner, Waggoner, Wasinger, Waymaster, K. Williams.

Nays: Alcalá, Amyx, Ballard, Barker, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Donohoe, Featherston, Gartner, Haswood, Henderson, Highberger, Hoye, Jacobs, Kuether, Lee-Hahn, Miller, Neighbor, Ohaebosim, Ousley, Parker, Poetter, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: Houser.

Absent or not voting: Awerkamp, Baker, Blex, Finney, Garber, Helgerson, Howard, Huebert, Newland, Orr, Rhiley, Samsel, Thompson, Victors.

#### EXPLANATION OF VOTE

MR. SPEAKER, I vote NO on CCR for **SB 273**. It is 1 a.m.. and I am tired. This law violates the state constitution and the right of local elected officials to home rule. AARON COLEMAN, KC OHAEBOSIM, LINDA FEATHERSTON, SUSAN RUIZ.

#### MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **HB 2313**.

#### INTRODUCTION OF ORIGINAL MOTIONS

On motion of Rep. Hawkins, Joint Rule 3(f), regarding the distribution of conference committee reports, was suspended for the purpose of considering **HB 2313**.

#### CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2313** submits the following report:

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

On page 1, by striking all in lines 24 through 36;

By striking all on pages 2 through 6;

On page 7, by striking all in lines 1 through 9; in line 12, by striking all after "or"; in line 13, by striking "operations" and inserting "restricted"; in line 22, by striking "capacity limitation" and inserting "restriction"; in line 25, by striking "capacity limitation" and inserting "restriction"; also in line 25, after "For" by inserting "ordered"; in line 29, before "shutdown" by inserting "ordered"; also in line 29, by striking "capacity"; in line 30, by striking "limitations" and inserting "ordered restrictions"; in line 33, by striking "capacity limitation" and inserting "ordered restrictions"; in line 34, by striking "capacity limitation" and inserting "ordered restriction"; in line 36, by striking "limited in any capacity from conducting operations" and inserting "restricted"; in line 38, by striking all after "or"; in line 39, by striking all before "from" and inserting "restricted";

On page 8, in line 5, by striking "limited the capacity of" and inserting "restricted"; in line 7, by striking "limited the capacity of" and inserting "restricted"; in line 10, after "(d)" by inserting "For purposes of this section, "restriction" or "restricted" means any occupancy limitation, limitation on periods of operation or the exertion by any governmental entity of other significant control on business resources or functionality.

(e)";  
 Also on page 8, by striking all in lines 18 through 43;  
 By striking all on pages 9 through 14;  
 On page 15, by striking all in lines 1 through 15;  
 On page 18, by striking all in lines 40 through 43;  
 On page 19, by striking all in lines 1 through 28;  
 On page 21, in line 25, by striking the first comma; also in line 25, before "79-201x" by inserting "and"; also in line 25, by striking "and 79-32,263";  
 And by renumbering sections accordingly;  
 On page 1, in the title, in line 1, by striking "establishing"; by striking all in lines 2 and 3; in line 4, by striking all before "the" and inserting "providing for"; in line 6, by striking "capacity limitation" and inserting "restriction"; in line 15, by striking all after the semicolon; by striking all in lines 16 through 18; in line 20, by striking ", 79-32,263";  
 And your committee on conference recommends the adoption of this report.

J. R. CLAEYS  
 LARRY ALLEY  
 ETHAN CORSON

*Conferees on part of Senate*

ADAM SMITH  
 LES MASON  
 JIM GARTNER

*Conferees on part of House*

On motion of Rep. Smith, A., the conference committee report on **HB 2313** was adopted.

On roll call, the vote was: Yeas 108; Nays 3; Present but not voting: 0; Absent or not voting: 14.

Yeas: Alcalá, Amyx, Anderson, Arnberger, Ballard, Barker, Bergkamp, Bergquist, Bishop, Borjon, Burroughs, Byers, Carlin, Carlson, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Coleman, Collins, Concannon, Corbet, Croft, Curtis, Day, Delperdang, Dodson, M., Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Francis, French, Gartner, Haswood, Hawkins, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howe, Hoyer, Humphries, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neelly, Neighbor, Ohaebosim, Ousley, Owens, Parker, F. Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Ruiz, L., Ruiz, S., Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Toplikar, Turner, Vaughn, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, K. Williams, Winn, Wolfe Moore, Woodard, Xu.

Nays: Burris, Jacobs, Lee-Hahn.

Present but not voting: None.

Absent or not voting: Awerkamp, Baker, Blex, Finney, Garber, Helgerson, Howard, Huebert, Newland, Orr, Rhiley, Samsel, Thompson, Victors.

**CONSIDERATION OF VETO**

The Governors objection to **HB 2039** having been read, the time arrived for reconsideration of **HB 2039**, AN ACT concerning education; relating to courses of instruction; requiring a civics examination and a personal financial literacy course for high school graduation; amending K.S.A. 72-3217 and 72-3236 and repealing the existing sections..

There was no motion to reconsider. The Chair ruled the bill had been reconsidered and the veto sustained.

**CONSIDERATION OF VETO**

The Governors objection to **HB 2089** having been read, the time arrived for reconsideration of **HB 2089**, AN ACT concerning education; relating to firearms; standardizing firearm safety education training programs in school districts; establishing the Roy'Alé act..

There was no motion to reconsider. The Chair ruled the bill had been reconsidered and the veto sustained.

**REPORT ON ENGROSSED BILLS**

**HB 2158** reported correctly engrossed May 7, 2021.

**HB 2224** reported re-engrossed May 7, 2021.

**REPORT ON ENROLLED BILLS**

**HB 2077**, **HB 2121**, **HB 2187** reported correctly enrolled, properly signed and presented to the Governor on May 7, 2021.

On motion of Rep. Hawkins, the House adjourned until 10:00 a.m., Wednesday, May 26, 2021.

# Journal of the House

SIXTY-FIFTH DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Wednesday, May 26, 2021, 10:00 a.m.

The House met pursuant to adjournment with Speaker Ryckman in the chair.

The roll was called with 117 members present.

Rep. Howard was excused on verified illness.

Reps. Arnberger, Donohoe, Helgerson, Jennings, Ohaebosim, Orr and Poetter were excused on excused absence by the Speaker.

Prayer by Chaplain Brubaker:

Heavenly Father,  
We stand before You today grateful for who You are  
and for all You have done for each of us.  
Thank you for yet another session through which you have led our leaders.  
A lot has been accomplished and some things didn't get done.  
The good news is nobody got hurt through it all!  
I ask that You be with each of them as they  
return to their regular work and try to get caught up.  
Be with them as they return to families  
and may they have quality time with them to make up  
for time lost during this session.  
Be with them as they reconnect with their constituents.  
May they not just hear what the people say,  
but listen intently so as to better know  
how to work on issues next year.  
Lastly, I leave all of them with Your blessing  
"The Lord bless you  
and keep you;  
the Lord make his face shine on you  
and be gracious to you;  
the Lord turn his face toward you  
and give you peace."  
This I pray in the Name of Christ, Amen.  
(Numbers 6:24-26)

The Pledge of Allegiance was led by Rep. Parker.

**MESSAGES FROM THE GOVERNOR**

May 7, 2021

*Messages to the Kansas House of Representatives:*

Enclosed herewith are Executive Directives No. 21-533 and 21-534 for your information.

EXECUTIVE DIRECTIVES NO. 21-533 and 21-534  
Concerning Authorizing Expenditure of Federal Funds

LAURA KELLY  
*Governor*

**HB 2077, HB 2121, HB 2187** approved on May 17, 2021.

**HB 2137** approved on May 19, 2021.

**HB 2026, HB 2079, HB 2158, HB 2224, HB 2397** approved on May 21, 2021.

**HB 2134, HB 2313** approved on May 24, 2021.

**PERSONAL PRIVILEGE**

There being no objection, the following remarks of Rep. Bishop are spread upon the Journal:

Today it saddens me to say that, even though I have previously flunked retirement...I am going to try it again. I will be retiring as of June 30, 2021. Today is my last day in this Chamber.

Even at a sad time like this, I have so much gratitude to share with you. First and foremost I thank the people in the 88<sup>th</sup> District in southeast Wichita for giving me the opportunity to serve them. I also thank each one of you for the many, many kindnesses I have experienced while serving in the legislature.

My thanks especially to Sue Perry and Berni O'Konek, two of the best office assistants in this building. Their help has been a wonderful amalgam of nurturing and professionalism that has so greatly smoothed the way and truly enabled me to serve the people of the 88<sup>th</sup> District.

I appreciate the efforts of Leadership and the professional staff, including Tom Day and his staff in Legislative Administrative Services, who worked so hard to make sure our session met constitutional standards for our work, yet still had responsible measures to keep us safe. The rapid testing was so crucial.

Now, to my caucus I say thanks for being stalwart, dedicated colleagues and, truly, just such fun people to be around---even if the gathering was too often via Zoom. I would like to call out especially the outstanding young people we have added to our caucus. Their brilliance and passion to accomplish what they were elected to do has inspired me and comforted me. Inspired, because, well frankly, these folks are hard to keep up with. And comforted because they are just so capable and smart. I know the future is safe in their hands.

Actually, it tells me we need to do more to encourage younger folks to run and serve in this body. Younger people, with careers and young families to support, face barriers to serving that we should try to mitigate. The mix of generations serves Kansas best.

The experience of elders PLUS the youthful awareness of new ideas, new technology and a broader world view.

Let's be frank. There were disappointments during my five years serving here. A major one, of course, is that we have yet to expand Medicaid. But hope springs eternal. I have hope that we as a state will accomplish that goal in the near future.

It has been my privilege to serve on some excellent committees. Our speaker pro tempore was chair of the Judiciary Committee when I served on it. He was very generous and helpful to a non-lawyer serving in her first term. Our Chair of Insurance and Pensions was also gracious and fair-minded, not to mention patient with the many technical glitches we faced as we began this unique session.

Lastly, I especially salute the Chair and the Ranking member of the Health and Human Services Committee. Following up on the Mental Health Modernization and Reform interim, also chaired by our colleague from Sedgwick County, the HHS Committee produced great and far-reaching work this year. We passed a bill establishing Certified Community Behavioral Health Centers—CCBHC's. This one innovation will greatly improve mental health services in Kansas. In addition HHS racked up a list of accomplishments: new telemedicine provisions, updated the work of the Behavioral Sciences Regulatory Board, and a good start on implementing Kansas' role in the new national suicide hotline number: 988.

These legislative steps chart progress toward making mental health and addiction treatment more accessible and effective for Kansans who desperately need it.

At one point in time, Kansas enjoyed a stellar reputation in the mental health field, nationally and even internationally. The work of the HHS committee and the Kansas legislature this year will put us back on track to re-capturing that exemplary role.

I will miss this wonderful building, this room, and especially the many wonderful people I have met here. There are several reasons why it is time for me to try retirement once again. Maybe this time I will succeed at it.

## MESSAGES FROM THE SENATE

The Senate adopts the Conference Committee report on **SB 273**.

Announcing the Senate herewith transmits certificate of action by the Senate on **HB 2007**,

AN ACT making and concerning appropriations for fiscal years ending June 30, 2021, June 30, 2022, June 30, 2023, and June 30, 2024, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 75-4209, 75-6702 and 75-6706 and K.S.A. 2020 Supp. 2-223, 12-1775a, 12-5256, 55-193, 65-180, 72-5462, 74-50,107, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171, 79-4804 and 82a-953a and repealing the existing sections.

The veto message from the Governor having been received, members were given the opportunity to reconsider **HB 2007**. No motion being made, the line item vetoes on 30(c), 80(e), 87(a) and 163(a) were sustained.

Announcing adoption of **SCR 1616**.

Announcing the Senate here with transmits the veto message from the Governor, together with the enrolled copy of **SB 29**, AN ACT concerning insurance; relating to health insurance; providing for short-term, limited duration health plans; amending K.S.A. 2020 Supp. 40-2,193 and repealing the existing section, which was received on May 20, 2021 and read on May 26, 2021

**Message from the Governor  
Regarding Veto of Senate Bill 29**

We already know that the solution to provide health care for 165,000 Kansans, bring thousands of jobs to our state, save small businesses money, and inject millions into our economy is to expand Medicaid.

Junk insurance – which does not cover pre-existing conditions or provide consumer protections – is just that: “junk.” Signing this bill would cause more Kansas families to go bankrupt over medical bills. If the Legislature wants to get serious about improving access to health care, they should join 38 other states and the District of Columbia and pass Medicaid expansion.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto Senate Bill 29.

Laura Kelly  
Governor  
Dated: May 20, 2021

A motion was made that **SB 29** be passed notwithstanding the Governor's veto. By vote of 28 Yeas and 11 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the Senate, voting in the affirmative, the bill passed.

**CONSIDERATION OF VETO**

On motion of Rep. S. Johnson, the House proceeded to reconsider **SB 29** AN ACT concerning insurance; relating to health insurance; providing for short-term, limited-duration health plans; amending K.S.A. 2020 Supp. 40-2,193 and repealing the existing section.

The Governor's objection to **SB 29** having been read (HJ Page 1547) the question being “Shall the bill be passed not withstanding the Governor's veto?”

On roll call, the vote was: Failed

A two-thirds majority of the members elected to the House not having voted in favor of the bill over the Governor's veto, the motion did not prevail, the bill did not pass, and the veto was sustained.

On roll call, the vote was: Yeas 67; Nays 48; Present but not voting: 0; Absent or not voting: 10.

Yeas: Anderson, Awerkamp, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, B. Carpenter, W. Carpenter, Clark, Collins, Corbet, Croft, Delperdang, Dodson, M., Ellis, Esau, Estes, Fairchild, Finch, Francis, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kessler, Lee-Hahn, Long, Lynn, Mason, Minnix, Murphy, Neelly, Newland, Owens, F. Patton, Penn, Proctor, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Seiwert, Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger,

Waymaster, K. Williams.

Nays: Alcalá, Amyx, Baker, Ballard, Bishop, Burroughs, Byers, Carlin, Carlson, Carmichael, Clayton, Coleman, Concannon, Curtis, Day, Eplee, Featherston, Finney, Gartner, Haswood, Henderson, Highberger, Hoye, Kelly, Kuether, Miller, Moser, Neighbor, Ousley, Parker, Poskin, Probst, Proehl, Ruiz, L., Ruiz, S., Samsel, Sawyer, Schreiber, Smith, A., Stogsdill, Vaughn, Victors, Weigel, Wheeler, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Arnberger, Donohoe, French, Helgerson, Howard, Jennings, Landwehr, Ohaebosim, Orr, Poetter.

### **INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate concurrent resolution was thereupon introduced and read by title:

#### **SCR 1616**

### **REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

Speaker Ryckman announced the referral of **SCR 1616** to Committee of the Whole.

### **INTRODUCTION OF ORIGINAL MOTIONS**

On emergency motion of Rep. Hawkins, pursuant to House Rule 2311, **SCR 1616** was advanced to Final Action on Bills and Concurrent Resolutions subject to amendment, debate and roll call.

### **FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS**

**SCR 1616**, A CONCURRENT RESOLUTION urging the Governor of the State of Kansas to end Federal Pandemic Unemployment Compensation to ensure that businesses do not have to compete with the federal government in attempts to fill thousands of open positions, was considered on final action.

On roll call, the vote was: Yeas 79; Nays 38; Present but not voting: 0; Absent or not voting: 8.

Yeas: Anderson, Awerkamp, Baker, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, B. Carpenter, W. Carpenter, Clark, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, M., Ellis, Eplee, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neely, Newland, Owens, F. Patton, Penn, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Wheeler, K. Williams.

Nays: Alcalá, Amyx, Ballard, Bishop, Burroughs, Byers, Carlin, Carmichael, Clayton, Coleman, Curtis, Day, Esau, Featherston, Finney, Gartner, Haswood, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ousley, Parker, Poskin, Probst, Ruiz, L., Ruiz, S., Sawyer, Stogsdill, Vaughn, Victors, Weigel, Winn, Wolfe Moore, Woodard, Xu.

Present but not voting: None.

Absent or not voting: Arnberger, Donohoe, Helgerson, Howard, Jennings, Ohaebosim, Orr, Poetter.

The resolution was adopted.

#### EXPLANATION OF VOTE

MR. SPEAKER: I vote no on **Senate Concurrent Resolution 1616**. This resolution will irresponsibly undermine the state's economic recovery and will harm Kansas as we move forward. Additionally, there is a clear double-standard: Republicans are okay giving multinational corporations hundreds of millions of dollars in tax breaks and federal dollars, but when it comes to ordinary Kansans, they pile on the burdens. – TOM SAWYER, STEPHANIE CLAYTON, VALDENIA C. WINN, SUSAN RUIZ, STEPHANIE BYERS, MARI-LYNN POSKIN, LINDA FEATHERSTON, LINDSAY VAUGHN, JENNIFER DAY, ELIZABETH BISHOP, GAIL FINNEY, JOHN CARMICHAEL, BRODERICK HENDERSON, JOHN ALCALA, BRANDON WOODARD, PAM CURTIS, PONKA-WE VICTORS

#### INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Croft, **HR 6018**, by Reps. Croft, Anderson, Barker, Bergkamp, Bergquist, Blex, Borjon, Carlson, Carpenter, Clark, Corbet, Delperdang, Dodson, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Howe, Humphries, Jacobs, Johnson, Johnson, Kelly, Kessler, Landwehr, Lee-Hahn, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Owens, Patton, Penn, Proctor, Proehl, Rahjes, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, Smith, Smith, Sutton, Tarwater, Thomas, Toplikar, Waggoner, Wasinger, Wheeler and Williams, as follows, was introduced and adopted on roll call:

**HR 6018**—A RESOLUTION condemning the recent attacks on the State of Israel.

A RESOLUTION condemning the recent attacks on the State of Israel and reaffirming Kansas' support and cooperation with Israel.

WHEREAS, On May 11, 2021, Hamas terrorists launched air strikes on Israel, targeting Israel's capital, Jerusalem, and several other cities across the country; and

WHEREAS, Israel declared independence from Great Britain on May 14, 1948, and upon joining the United Nations, was recognized as an independent nation-state on May 11, 1949; and

WHEREAS, Israel was founded in response to the more than 6,000,000 Jews killed during the horror of the Holocaust and World War II; and

WHEREAS, Since 1948, Israel has faced terrorism and hostility from its neighbors, which continues today; and

WHEREAS, Israel has built a strong democracy, a thriving economy and a diverse cultural life despite the heavy cost of numerous wars, terrorism, international ostracism and economic boycotts; and

WHEREAS, Israel continues to thrive despite continued acts of antisemitism worldwide, including a tragic event in Overland Park in 2014; and

WHEREAS, Israel endeavors to work toward peace with Palestinians and ensure security for Israel's people, neighbors and citizens of the world; and

WHEREAS, The people of Kansas share a connection with the people of Israel and

view Israel as a trusted ally: Now, therefore,

*Be it resolved by the House of Representatives of the State of Kansas:* That we condemn the attacks on the State of Israel and reaffirm Kansas' support and cooperation with Israel; and

*Be it further resolved:* That the Chief Clerk of the House of Representatives shall send an enrolled copy of this resolution to the Consulate General of Israel in Houston.

On roll call, the vote was: Yeas 83; Nays 27; Present but not voting: 1; Absent or not voting: 14.

Yeas: Anderson, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlson, Carpenter, B., Carpenter, W., Clark, Clayton, Collins, Concannon, Corbet, Croft, Delperdang, Dodson, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, French, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Huebert, Humphries, Jacobs, Johnson, S., Johnson, T., Kelly, Kessler, Landwehr, Lee-Hahn, Long, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Owens, Patton, Penn, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., Smith, C., Smith, E., Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, Williams.

Nays: Alcala, Amyx, Bishop, Burroughs, Byers, Carmichael, Coleman, Curtis, Day, Featherston, Finney, Haswood, Henderson, Highberger, Hoye, Kuether, Miller, Neighbor, Ousley, Parker, Ruiz, L., Ruiz, S., Stogsdill, Vaughn, Victors, Winn, Xu.

Present but not voting: Samsel.

Absent or not voting: Arnberger, Carlin, Donohoe, Gartner, Helgerson, Howard, Jennings, Ohaebosim, Orr, Poetter, Poskin, Probst, Wolfe Moore, Woodard.

#### **REPORT ON ENGROSSED BILLS**

**HB 2224** reported correctly re-engrossed May 7, 2021.

**HB 2134** reported correctly engrossed May 10, 2021.

**HB 2137** reported correctly re-engrossed May 10, 2021.

#### **REPORT ON ENROLLED BILLS**

**HB 2026, HB 2079, HB 2134, HB 2137, HB 2158, HB 2224, S Sub for HB 2313, S Sub for Sub HB 2397** reported correctly enrolled, properly signed and presented to the Governor on May 14, 2021.

#### **REPORT ON ENROLLED RESOLUTIONS**

**HR 6017** reported correctly enrolled and properly signed on May 11, 2021.

The hour for final adjournment having arrived, Speaker Ryckman announced, "By virtue of the authority vested in me, as Speaker of the House of Representatives of the 2021 session, I do now declare the House adjourned sine die."

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

**MESSAGES FROM THE SENATE**

Announcing a line item veto message from the Governor on **SB 159**, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2021, June 30, 2022, and June 30, 2023, for state agencies; authorizing and directing payment of certain claims against the state; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 74-4920 and K.S.A. 2020 Supp. 17-12a601 and repealing the existing sections., received on May 21, 2021 and read on May 26, 2021.

**MESSAGE FROM THE GOVERNOR  
REGARDING SENATE BILL 159**

Senate Bill 159, this session's omnibus budget bill, makes many important investments in our state. But as with many omnibus budget bills, not every appropriation included is necessary or appropriate. Therefore, pursuant to Article 2, Section 14(b) of the Constitution of the State of Kansas, I hereby return Senate Bill 159 with my signature approving the bill, except for the item enumerated below.

\$500,000 from the State General Fund to the University of Kansas Medical Center for clinical trials on a COVID-19 treatment using MSCTC-0010 cells developed at the Midwest Stem Cell Therapy Center

Section 46(a) has been line-item vetoed in its entirety.

This section provides \$500,000 to the University of Kansas Medical Center to conduct clinical trials for a COVID-19 treatment using MSCTC-0010 cells developed at the Midwest Stem Cell Therapy Center. During debate on the Senate's original budget, contained in Substitute for Senate Bill 267, an amendment to add this funding was wisely withdrawn. The medical experts who lead the research associated with this proviso have clearly and plainly communicated to the Legislature that such a clinical trial would not be realistic or even feasible given the timeframe and funding provided. A 2018 article in the Journal of the American Medical Association found that the average cost of a clinical trial is \$19 million, with the total cost of developing a new drug closer to \$2 to \$3 billion. Given those realities and the proven effectiveness of COVID-19 vaccines and treatments that are now widely available, we should focus our efforts on increasing the number of Kansans who are vaccinated so that we can prevent infections, severe illnesses, and deaths. We should listen to those with knowledge of how clinical trials work when they tell us that the proposal outlined in this proviso is unrealistic and unneeded, and we should focus on saving lives by expediting vaccinations for as many Kansans as possible throughout the state.

THE GOVERNOR'S OFFICE  
BY THE GOVERNOR Laura Kelly  
DATED May 21, 2021

There being no motion to reconsider the line item veto on section 46(a), the line item veto was sustained.

Announcing the Senate herewith transmits a veto message from the Governor on **H Sub. for Sub. for SB 273**.

AN ACT enacting the COVID-19 small business relief act; providing funds for impacted small businesses; making and concerning appropriations for the fiscal years ending June 30, 2021, and June 30, 2022, June 30, 2023, and June 30, 2024; authorizing certain transfers and imposing certain limitations; creating the COVID-19 small business relief fund and providing procedures for the administration of such fund by the legislative coordinating council; creating the COVID-19 small business relief claims board and providing for administration of this act by the board with the assistance of the attorney general; requiring certain counties to establish and administer a county COVID-19 small business relief fund and certain cities to establish and administer a city COVID-19 small business relief fund; requiring a study by the legislative division of post audit; prohibiting compensation for intangible losses related to the COVID-19 public health emergency under the Kansas emergency management act; amending K.S.A. 48-933 and repealing the existing section., which was received on May 21, 2021 and was read before the Senate on May 26, 2021.

MESSAGE FROM THE GOVERNOR  
REGARDING VETO OF SENATE BILL 273

The COVID-19 pandemic has presented many challenges for Kansas businesses over the last year, and my administration has been committed to doing all we can to support their continued pandemic recovery efforts through the Strengthening People and Revitalizing Kansas (“SPARK”) Taskforce. The SPARK process brings together business, legislative, and community leaders from across the state to collaborate on data-driven, innovative investments using federal relief dollars. All recovery initiatives should go through the transparent, federally compliant, bipartisan, and efficient process we have already established through the SPARK Taskforce.

SB 273 is well-intentioned, but it violates federal rules for the use of American Rescue Plan Act (“ARPA”) funds that prevent the state from placing conditions or requirements on local governments’ use of ARPA funds. SB 273 also fails to comply with federal rules that prohibit using ARPA funds to resolve potential legal claims against state or local governments.

I am committed to working with the SPARK Taskforce to develop relief programs that comply with federal requirements to ensure that our economy emerges from this pandemic stronger and more agile than ever.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto Senate Bill 273.

THE GOVERNOR’S OFFICE  
BY THE GOVERNOR Laura Kelly  
DATED May 21, 2021

There being no motion to reconsider **H Sub. for Sub. for SB 273**, the President ruled the veto sustained.

**REPORT ON ENROLLED RESOLUTIONS**

**HR 6018** reported correctly enrolled and properly signed on May 26, 2021.





TITLE AND HISTORY  
OF  
HOUSE BILLS  
AND  
HOUSE RESOLUTIONS

This report includes all House originated bills, resolutions, and concurrent resolutions considered by the 2021 Legislature. Executive Reorganization Orders and Petitions presented to the House of Representatives during the 2021 Session are also included.

TITLE AND HISTORY  
OF  
HOUSE BILLS  
AND  
HOUSE RESOLUTIONS

(SJ & HJ Nos. refer to 2021 Senate and House Journals)

## TITLE AND HISTORY OF HOUSE BILLS

- H 2001** Bill by Representative Owens  
**Creating the crime of sexual extortion and requiring an offender to register under the Kansas offender registration act.**  
 01/11/2021 House—Prefiled for Introduction on Thursday, December 3, 2020  
 01/11/2021 House—Final Action - Passed;  
 01/11/2021 House—Introduced—HJ 50  
 01/12/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 67  
 01/13/2021 House—Withdrawn from Committee on Corrections and Juvenile Justice;  
 Referred to Committee on Judiciary—HJ 72  
 01/13/2021 House—Hearing: Wednesday, January 20, 2021, 3:30 PM Room 582-N  
 02/08/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Judiciary—HJ 179  
 02/11/2021 House—Committee of the Whole - Be passed as amended—HJ 213  
 02/11/2021 House—Emergency Final Action - Passed as amended; Yea: 123 Nay: 0  
 02/12/2021 Senate—Received and Introduced—SJ 209  
 02/15/2021 Senate—Referred to Committee on Judiciary—SJ 210  
 03/10/2021 Senate—Hearing: Monday, March 15, 2021, 10:30 AM Room 346-S  
 03/15/2021 Senate—Committee Report recommending bill be passed as amended by  
 Committee on Judiciary—SJ 332
- H 2002** Bill by Representative Highberger  
**Enacting the national popular vote interstate compact for electing the president of the United States.**  
 01/11/2021 House—Prefiled for Introduction on Tuesday, December 8, 2020—HJ 8  
 01/11/2021 House—Introduced—HJ 50  
 01/12/2021 House—Referred to Committee on Elections—HJ 67
- H 2003** Bill by Representative Kelly  
**Providing for county treasurers to establish a payment plan for the payment of delinquent or nondelinquent taxes.**  
 01/11/2021 House—Prefiled for Introduction on Wednesday, December 9, 2020  
 01/11/2021 House—Introduced—HJ 50  
 01/12/2021 House—Referred to Committee on Taxation—HJ 67
- H 2004** Bill by Representative Highland  
**Creating the right to appeal an involuntary discharge or transfer from an adult residential care facility.**  
 01/11/2021 House—Prefiled for Introduction on Friday, December 11, 2020  
 01/11/2021 House—Introduced—HJ 50  
 01/12/2021 House—Referred to Committee on Children and Seniors—HJ 67  
 01/21/2021 House—Hearing: Thursday, January 28, 2021, 1:30 PM Room 152-S  
 03/05/2021 House—Withdrawn from Committee on Children and Seniors; Referred to  
 Committee on Appropriations—HJ 456  
 03/10/2021 House—Withdrawn from Committee on Appropriations; Rereferred to  
 Committee on Children and Seniors—HJ 458
- H 2005** Bill by Representative Highland  
**Excluding hot water supply boilers that have a nominal water capacity not exceeding 120 gallons from the provisions of the boiler safety act.**  
 01/11/2021 House—Prefiled for Introduction on Thursday, December 17, 2020—HJ 8  
 01/11/2021 House—Introduced—HJ 50

01/12/2021 House—Referred to Committee on Water—HJ 67  
 01/26/2021 House—Hearing: Thursday, January 28, 2021, 9:00 AM Room 152-S  
 02/02/2021 House—Committee Report recommending bill be passed by Committee on Water—HJ 157  
 02/10/2021 House—Committee of the Whole - Be passed—HJ 193  
 02/10/2021 House—Emergency Final Action - Passed; Yea: 125 Nay: 0  
 02/10/2021 Senate—Received and Introduced—SJ 198  
 02/11/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 202  
 03/11/2021 Senate—Hearing: Thursday, March 18, 2021, 10:30 AM Room 144-S

- H 2006** Bill by Representatives Highberger, Haswood, Victors  
**Changing the designation of Columbus Day to Indigenous Peoples Day.**  
 01/11/2021 House—Prefiled for Introduction on Thursday, December 17, 2020  
 01/11/2021 House—Introduced—HJ 50  
 01/12/2021 House—Referred to Committee on Federal and State Affairs—HJ 67  
 01/21/2021 House—Hearing: Tuesday, January 26, 2021, 9:00 AM Room 346-S
- H 2007** Bill by Representative Proehl  
**Appropriations for FY 2021, FY 2022, FY 2023 and FY 2024 for various state agencies.**  
 01/11/2021 House—Prefiled for Introduction on Thursday, December 17, 2020—HJ 10  
 01/11/2021 House—Introduced—HJ 50  
 01/12/2021 House—Referred to Committee on Transportation—HJ 67  
 01/21/2021 House—Hearing: Tuesday, January 26, 2021, 1:30 PM Room 582-N  
 02/03/2021 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 167  
 02/17/2021 House—Committee of the Whole - Be passed—HJ 235  
 02/18/2021 House—Final Action - Passed; Yea: 122 Nay: 0  
 02/18/2021 Senate—Received and Introduced—SJ 220  
 02/19/2021 Senate—Referred to Committee on Transportation—SJ 234  
 03/03/2021 Senate—Hearing: Thursday, March 11, 2021, 8:30 AM Room 546-S  
 03/16/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 360  
 03/24/2021 Senate—Committee of the Whole - Be passed as amended—SJ 400  
 03/25/2021 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0  
 03/30/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Proehl, Representative Delperdang and Representative Helgerson as conferees—HJ 628  
 03/30/2021 Senate—Motion to accede adopted; Senator Petersen, Senator Claeys and Senator Hawk appointed as conferees—SJ 473  
 03/31/2021 Senate—Senator Billinger is appointed to replace Senator Petersen on the Conference Committee—SJ 573  
 04/06/2021 House—Representative Waymaster, Representative Hoffman, and Representative Wolfe Moore are appointed to replace Representative Proehl, Representative Delperdang, and Representative Helgerson on the Conference Committee—HJ 651  
 04/09/2021 Senate—Conference Committee Report was adopted; Yea: 21 Nay: 14—SJ 799  
 04/09/2021 House—Conference Committee Report was adopted; Yea: 71 Nay: 52—HJ 909  
 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278  
 05/03/2021 House—Approved by Governor except line item veto of Sections 4(b), 29(d), 30(c), 31(a), 69(j), 70(i), 71(a), 72(a), 84(a), 84(t), 84(w), 85(a), 101(a), 103(d), 104(d), 121(a), 121 (f), 122(h), 140, 141, 142, 143 and 163(a); portions of sections 30(a), 80(e) and 87(a) on Monday, April 26, 2021—HJ 1259  
 05/03/2021 House—Motion to override line item veto prevailed; Line item veto 30(c) overridden; Yea: 86 Nay: 38—HJ 1275

- 05/03/2021 House—Motion to override line item veto prevailed; Line item veto 87a overridden; Yea: 84 Nay: 40—HJ 1275
- 05/03/2021 House—Motion to override line item veto prevailed; Line item veto 163(a) overridden; Yea: 84 Nay: 40—HJ 1276
- 05/03/2021 House—Motion to override line item veto prevailed; Line item veto 80(e) overridden; Yea: 104 Nay: 20—HJ 1277
- 05/07/2021 Senate—No motion to reconsider line item vetoes; Vetoes sustained—SJ 1399

**H 2008** Bill by Representatives Victors, Haswood  
**Providing for the attorney general to coordinate training for law enforcement agencies on missing and murdered indigenous people.**

- 01/11/2021 House—Prefiled for Introduction on Tuesday, December 22, 2020—HJ 14
- 01/11/2021 House—Introduced—HJ 50
- 01/12/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 67
- 01/13/2021 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Judiciary—HJ 72
- 01/13/2021 House—Hearing: Tuesday, January 19, 2021, 3:30 PM Room 582-N
- 01/22/2021 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 110
- 01/28/2021 House—Committee of the Whole - Be passed—HJ 140
- 01/28/2021 House—Emergency Final Action - Passed; Yea: 123 Nay: 0
- 01/28/2021 Senate—Received and Introduced—SJ 121
- 01/29/2021 Senate—Referred to Committee on Judiciary—SJ 122
- 02/18/2021 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Federal and State Affairs—SJ 224
- 03/11/2021 Senate—Hearing: Thursday, March 18, 2021, 10:30 AM Room 144-S
- 03/18/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Federal and State Affairs—SJ 380
- 03/23/2021 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 392
- 03/29/2021 House—Enrolled and presented to Governor on Monday, March 29, 2021—HJ 616
- 04/07/2021 House—Approved by Governor on Wednesday, April 7, 2021—HJ 661

**H 2009** Bill by Representative Carmichael  
**Removing sodomy between consenting members of the same sex from criminal sodomy.**

- 01/11/2021 House—Prefiled for Introduction on Tuesday, December 22, 2020—HJ 14
- 01/11/2021 House—Introduced—HJ 50
- 01/12/2021 House—Referred to Committee on Judiciary—HJ 67
- 01/15/2021 House—Withdrawn from Committee on Judiciary; Referred to Committee on Corrections and Juvenile Justice—HJ 79

**H 2010** Bill by Representative Carmichael  
**Creating a traffic infraction for operating a vehicle while fatigued.**

- 01/11/2021 House—Prefiled for Introduction on Tuesday, December 22, 2020
- 01/11/2021 House—Introduced—HJ 50
- 01/12/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 67

**H 2011** Bill by Representative Carmichael  
**Removing the authority of the secretary of state to prosecute election crimes.**

- 01/11/2021 House—Prefiled for Introduction on Tuesday, December 22, 2020
- 01/11/2021 House—Introduced—HJ 50
- 01/12/2021 House—Referred to Committee on Elections—HJ 67
- 01/13/2021 House—Withdrawn from Committee on Elections; Referred to Committee on

Judiciary—HJ 72

02/10/2021 House—Hearing: Wednesday, February 17, 2021, 3:30 PM Room 582-N

02/26/2021 House—Committee Report recommending bill be passed as amended by

Committee on Judiciary—HJ 320

03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2012** Bill by Representative Carmichael  
**Decreasing penalties for certain voting crimes and making amendments to the elements of the substantive offenses.**

01/11/2021 House—Prefiled for Introduction on Tuesday, December 22, 2020

01/11/2021 House—Introduced—HJ 51

01/12/2021 House—Referred to Committee on Elections—HJ 67

**H 2013** Bill by Representative Carmichael  
**Changing the supreme court clerk's information requirements for licensed attorneys and changing procedures related to the supreme court nominating commission and the judicial district nominating commissions.**

01/11/2021 House—Prefiled for Introduction on Tuesday, December 22, 2020

01/11/2021 House—Introduced—HJ 51

01/12/2021 House—Referred to Committee on Judiciary—HJ 67

**H 2014** Bill by Representative Williams  
**Permitting military surplus vehicles to register with the division of vehicles for road use.**

01/11/2021 House—Prefiled for Introduction on Tuesday, December 22, 2020

01/11/2021 House—Introduced—HJ 51

01/12/2021 House—Referred to Committee on Transportation—HJ 67

01/13/2021 House—Hearing: Thursday, January 21, 2021, 1:30 PM Room 582-N

01/21/2021 House—Hearing: Thursday, January 28, 2021, 1:30 PM Room 582-N

02/03/2021 House—Committee Report recommending bill be passed as amended by

Committee on Transportation—HJ 167

02/10/2021 House—Committee of the Whole - Be passed as amended—HJ 193

02/10/2021 House—Emergency Final Action - Passed as amended; Yea: 124 Nay: 1

02/11/2021 Senate—Received and Introduced—SJ 202

02/12/2021 Senate—Referred to Committee on Transportation—SJ 209

03/12/2021 Senate—Hearing: Tuesday, March 16, 2021, 8:30 AM Room 546-S

03/16/2021 Senate—Committee Report recommending bill be passed and placed on Consent

Calendar by Committee on Transportation—SJ 360

03/23/2021 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 392

03/29/2021 House—Enrolled and presented to Governor on Monday, March 29, 2021—HJ

616

04/06/2021 House—Approved by Governor on Monday, April 5, 2021—HJ 652

**H 2015** Bill by Representative Williams  
**Providing distinctive license plates for current and veteran members of the United States army, navy, marine corps, air force and coast guard.**

01/11/2021 House—Prefiled for Introduction on Tuesday, December 22, 2020

01/11/2021 House—Introduced—HJ 51

01/12/2021 House—Referred to Committee on Transportation—HJ 67

02/03/2021 House—Hearing: Tuesday, February 9, 2021, 1:30 PM Room 582-N

**H 2016** Bill by Representative Carmichael  
**Replacing the workers compensation prevailing factor standard with a substantial**

**factor standard.**

01/11/2021 House—Prefiled for Introduction on Thursday, December 31, 2020  
 01/11/2021 House—Introduced—HJ 51  
 01/12/2021 House—Referred to Committee on Commerce, Labor and Economic  
 Development—HJ 67

**H 2017** Bill by Representative Carmichael  
**Amending the disallowance of workers compensation benefits for fighting or horseplay if not work-related.**

01/11/2021 House—Prefiled for Introduction on Thursday, December 31, 2020  
 01/11/2021 House—Introduced—HJ 51  
 01/12/2021 House—Referred to Committee on Commerce, Labor and Economic  
 Development—HJ 67

**H 2018** Bill by Representative Coleman  
**Increasing the minimum wage to \$17.25 over 10 years.**

01/11/2021 House—Prefiled for Introduction on Thursday, December 31, 2020  
 01/11/2021 House—Introduced—HJ 51  
 01/12/2021 House—Referred to Committee on Commerce, Labor and Economic  
 Development—HJ 67

**H 2019** Bill by Representative Francis  
**Designating bridges on United States highway 54 in Seward County as the Jack Taylor memorial bridge and Max Zimmerman memorial bridge.**

01/11/2021 House—Prefiled for Introduction on Thursday, December 31, 2020  
 01/11/2021 House—Introduced—HJ 51  
 01/12/2021 House—Referred to Committee on Transportation—HJ 67  
 02/03/2021 House—Hearing: Wednesday, February 10, 2021, 1:30 PM Room 582-N

**H 2020** Bill by Representatives Proctor, Croft, Ellis, French, T. Johnson, Neelly  
**Requiring the Kansas commission on veterans affairs office to submit an initial application for a VA state veterans home construction grant.**

01/11/2021 House—Prefiled for Introduction on Thursday, December 31, 2020  
 01/11/2021 House—Introduced—HJ 51  
 01/12/2021 House—Referred to Committee on Veterans and Military—HJ 67  
 02/11/2021 House—Hearing: Thursday, February 18, 2021, 9:00 AM Room 281-N  
 02/18/2021 House—Committee Report recommending bill be passed by Committee on  
 Veterans and Military—HJ 254  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2021** Bill by Representatives Proctor, Croft, Ellis, French, T. Johnson, Neelly  
**Authorizing the issuance of bonds for the construction of a state veterans home and expanding educational benefits of tuition and fees waiver for spouses and dependents of public safety officers and personnel who are injured or disabled while performing service-related duties.**

01/11/2021 House—Prefiled for Introduction on Thursday, December 31, 2020  
 01/11/2021 House—Introduced—HJ 51  
 01/12/2021 House—Referred to Committee on Appropriations—HJ 67  
 01/20/2021 House—Hearing: Wednesday, January 27, 2021, 9:00 AM Room 112-N  
 02/10/2021 House—Committee Report recommending bill be passed by Committee on  
 Appropriations—HJ 199  
 03/16/2021 House—Committee of the Whole - Be passed as amended—HJ 473  
 03/17/2021 House—Final Action - Passed as amended; Yea: 121 Nay: 2

03/17/2021 Senate—Received and Introduced—SJ 363  
 03/18/2021 Senate—Referred to Committee on Ways and Means—SJ 373  
 03/22/2021 Senate—Hearing: Thursday, March 25, 2021, 10:30 AM Room 548-S  
 03/29/2021 Senate—Committee Report recommending bill be passed as amended by  
 Committee on Ways and Means—SJ 470  
 03/31/2021 Senate—Committee of the Whole - Be passed as amended—SJ 561  
 03/31/2021 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0  
 04/07/2021 House—Nonconcurrent with amendments; Conference Committee requested;  
 appointed Representative Waymaster, Representative Hoffman and Representative  
 Wolfe Moore as conferees—HJ 658  
 04/07/2021 Senate—Motion to accede adopted; Senator Billinger, Senator Claeys and  
 Senator Hawk appointed as conferees—SJ 584  
 04/09/2021 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 1—SJ 1062  
 04/09/2021 House—Conference Committee Report was adopted; Yea: 119 Nay: 3—HJ 1220  
 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278  
 05/03/2021 House—Approved by Governor on Wednesday, April 21, 2021—HJ 1266

**H 2022** Bill by Representative Waymaster

**Updating the state corporation commission's authority to regulate and determine responsibility for abandoned oil and gas wells and abolishing the well plugging assurance fund and transferring all assets and liabilities to the abandoned oil and gas well fund.**

01/11/2021 House—Prefiled for Introduction on Thursday, December 31, 2020  
 01/11/2021 House—Introduced—HJ 51  
 01/12/2021 House—Referred to Committee on Appropriations—HJ 67  
 01/19/2021 House—Hearing: Thursday, January 21, 2021, 9:00 AM Room 112-N  
 01/27/2021 House—Committee Report recommending bill be passed by Committee on  
 Appropriations—HJ 132  
 01/28/2021 House—Committee of the Whole - Be passed—HJ 140  
 01/28/2021 House—Emergency Final Action - Passed; Yea: 123 Nay: 0  
 01/28/2021 Senate—Received and Introduced—SJ 121  
 01/29/2021 Senate—Referred to Committee on Ways and Means—SJ 122  
 02/03/2021 Senate—Hearing: Thursday, February 11, 2021, 10:30 AM Room 548-S  
 02/18/2021 Senate—Committee Report recommending bill be passed as amended by  
 Committee on Ways and Means—SJ 233  
 03/01/2021 Senate—Committee of the Whole - Be passed as further amended—SJ 259  
 03/02/2021 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0  
 03/03/2021 House—Nonconcurrent with amendments; Conference Committee requested;  
 appointed Representative Waymaster, Representative Hoffman and Representative  
 Wolfe Moore as conferees—HJ 373  
 03/03/2021 Senate—Motion to accede adopted; Senator Billinger, Senator Claeys and  
 Senator Hawk appointed as conferees—SJ 306  
 03/23/2021 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 393  
 03/29/2021 House—Conference Committee Report was adopted; Yea: 123 Nay: 0—HJ 596  
 04/06/2021 House—Enrolled and presented to Governor on Friday, April 2, 2021—HJ 656  
 04/09/2021 House—Approved by Governor on Friday, April 9, 2021—HJ 1220

**H 2023** Bill by Representative Highland

**Changing to an eight-year simple average when determining values of agricultural land for purposes of property taxation.**

01/11/2021 House—Prefiled for Introduction on Thursday, December 31, 2020  
 01/11/2021 House—Introduced—HJ 52  
 01/12/2021 House—Referred to Committee on Taxation—HJ 67

01/27/2021 House—Hearing: Wednesday, February 3, 2021, 3:30 PM Room 346-S

**H 2024** Bill by Representatives Owens, Croft, Lynn, Thomas, Waggoner, Wasinger  
**Providing immunity from civil liability for adult care homes for COVID-19 claims.**

01/11/2021 House—Prefiled for Introduction on Thursday, December 31, 2020

01/11/2021 House—Introduced—HJ 52

01/12/2021 House—Referred to Committee on Judiciary—HJ 67

**H 2025** Bill by Representative Corbet  
**Protecting private property from unauthorized access by certain government officials and unauthorized surveillance.**

01/11/2021 House—Prefiled for Introduction on Thursday, December 31, 2020

01/11/2021 House—Introduced—HJ 52

01/12/2021 House—Referred to Committee on Agriculture—HJ 67

01/21/2021 House—Withdrawn from Committee on Agriculture; Referred to Committee on Federal and State Affairs—HJ 99

02/01/2021 House—Hearing: Thursday, February 4, 2021, 9:00 AM Room 346-S

03/01/2021 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 327

03/15/2021 House—Withdrawn from Calendar, Rereferred to Committee on Federal and State Affairs—HJ 467

03/24/2021 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 540

03/29/2021 House—Committee of the Whole - Motion to recommend favorably for passage failed—HJ 611

**H 2026** Bill by Joint Corrections and Juvenile Justice Oversight  
**Creating a drug abuse treatment program for people on diversion and allowing county and district attorneys to enter into agreements with chief judges and community corrections for supervision, clarifying jurisdiction and supervision of offenders in a certified drug abuse treatment program, authorizing the Kansas sentencing commission to change risk assessment cut-off levels for participation in the certified drug abuse treatment program, modifying the criminal penalties for tampering with electronic monitoring equipment and increasing the criminal penalties for riot and incitement to riot in a correctional facility.**

01/11/2021 House—Prefiled for Introduction on Thursday, December 31, 2020

01/11/2021 House—Introduced—HJ 52

01/12/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 67

01/13/2021 House—Hearing: Wednesday, January 20, 2021, 1:30 PM Room 546-S

01/27/2021 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 132

01/28/2021 House—Committee of the Whole - Be passed—HJ 140

01/28/2021 House—Emergency Final Action - Passed; Yea: 123 Nay: 0

01/28/2021 Senate—Received and Introduced—SJ 121

01/29/2021 Senate—Referred to Committee on Judiciary—SJ 122

02/02/2021 Senate—Hearing: Wednesday, February 10, 2021, 10:30 AM Room 346-S

03/01/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 264

03/24/2021 Senate—Committee of the Whole - Be passed as amended—SJ 400

03/25/2021 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0

03/30/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Jennings, Representative Owens and Representative Highberger as conferees—HJ 628

03/30/2021 Senate—Motion to accede adopted; Senator Warren, Senator Wilborn and Senator Haley appointed as conferees—SJ 474

05/05/2021 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 0—SJ 1125

05/05/2021 House—Conference Committee Report was adopted; Yea: 121 Nay: 0—HJ 1341

05/26/2021 House—Enrolled and presented to Governor on Friday, May 14, 2021—HJ 1550

05/26/2021 House—Approved by Governor on Friday, May 21, 2021—HJ 1545

**H 2027** Bill by Joint Corrections and Juvenile Justice Oversight  
**Modifying the criminal penalties for unlawfully tampering with electronic monitoring equipment.**

01/11/2021 House—Prefiled for Introduction on Thursday, December 31, 2020

01/11/2021 House—Introduced—HJ 52

01/12/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 67

01/13/2021 House—Hearing: Wednesday, January 20, 2021, 1:30 PM Room 546-S

01/27/2021 House—Committee Report recommending bill be passed as amended by

Committee on Corrections and Juvenile Justice—HJ 132

03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2028** Bill by Joint Corrections and Juvenile Justice Oversight  
**Aligning the felony loss thresholds for certain property crimes with theft.**

01/11/2021 House—Prefiled for Introduction on Thursday, December 31, 2020

01/11/2021 House—Introduced—HJ 52

01/12/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 67

01/13/2021 House—Hearing: Tuesday, January 19, 2021, 1:30 PM Room 546-S

01/27/2021 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 132

03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2029** Bill by Joint Corrections and Juvenile Justice Oversight  
**Counting any crime with a domestic violence designation as a prior conviction under domestic battery.**

01/11/2021 House—Prefiled for Introduction on Thursday, December 31, 2020

01/11/2021 House—Introduced—HJ 52

01/12/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 67

01/20/2021 House—Hearing: Monday, January 25, 2021, 1:30 PM Room 546-S

01/28/2021 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 142

02/03/2021 House—Committee of the Whole - Be passed—HJ 161

02/03/2021 House—Emergency Final Action - Passed; Yea: 118 Nay: 7

02/04/2021 Senate—Received and Introduced—SJ 147

02/05/2021 Senate—Referred to Committee on Judiciary—SJ 154

**H 2030** Bill by Joint Corrections and Juvenile Justice Oversight  
**Extending terminal medical release to inmates in the custody of the department of corrections with a condition likely to cause death within 120 days.**

01/11/2021 House—Prefiled for Introduction on Thursday, December 31, 2020

01/11/2021 House—Introduced—HJ 52

01/12/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 67

01/20/2021 House—Hearing: Tuesday, January 26, 2021, 1:30 PM Room 546-S

01/28/2021 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 142

02/10/2021 House—Committee of the Whole - Be passed—HJ 193

02/10/2021 House—Emergency Final Action - Passed;

02/10/2021 Senate—Received and Introduced—SJ 198  
02/11/2021 Senate—Referred to Committee on Judiciary—SJ 202

- H 2031** Bill by Joint Corrections and Juvenile Justice Oversight  
**Increasing good time and program credits for certain offenders.**  
01/11/2021 House—Prefiled for Introduction on Thursday, December 31, 2020  
01/11/2021 House—Introduced—HJ 52  
01/12/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 67  
01/20/2021 House—Hearing: Monday, January 25, 2021, 1:30 PM Room 546-S
- H 2032** Bill by Representative Carmichael  
**Making the use of artificial light for the purpose of spotting, locating, or taking wildlife unlawful.**  
01/11/2021 House—Prefiled for Introduction on Monday, January 4, 2021  
01/11/2021 House—Introduced—HJ 52  
01/12/2021 House—Referred to Committee on Agriculture—HJ 67
- H 2033** Bill by Representatives Xu, Haswood, Parker, Vaughn, Woodard  
**Increasing the minimum wage to \$15 per hour over a period of 6 years.**  
01/11/2021 House—Prefiled for Introduction on Tuesday, January 5, 2021  
01/11/2021 House—Introduced—HJ 52  
01/12/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 67
- H 2034** Bill by Representative Amyx  
**Requiring that purchases of property and construction of buildings by townships are subject to protest petition and election procedure.**  
01/11/2021 House—Prefiled for Introduction on Wednesday, January 6, 2021  
01/11/2021 House—Introduced—HJ 53  
01/12/2021 House—Referred to Committee on Local Government—HJ 67
- H 2035** Bill by Representative Amyx  
**Creating the Dwayne Peaslee technical training center district.**  
01/11/2021 House—Prefiled for Introduction on Wednesday, January 6, 2021  
01/11/2021 House—Introduced—HJ 53  
01/12/2021 House—Referred to Committee on Local Government—HJ 67
- H 2036** Bill by Representative Carmichael  
**Authorizing Sedgwick county voters during the 2021 election cycle to vote on election day at any voting place in the county.**  
01/11/2021 House—Prefiled for Introduction on Wednesday, January 6, 2021  
01/11/2021 House—Introduced—HJ 53  
01/12/2021 House—Referred to Committee on Elections—HJ 67
- H 2037** Bill by Representative Coleman  
**Establishing public school training and instruction standards for identifying child sexual abuse.**  
01/11/2021 House—Prefiled for Introduction on Wednesday, January 6, 2021  
01/11/2021 House—Introduced—HJ 53  
01/12/2021 House—Referred to Committee on Education—HJ 67
- H 2038** Bill by Representative Huebert  
**Creating the educator protection act to provide excess professional liability insurance coverage for teachers.**

01/11/2021 House—Prefiled for Introduction on Wednesday, January 6, 2021  
 01/11/2021 House—Introduced—HJ 53  
 01/12/2021 House—Referred to Committee on Education—HJ 67  
 02/03/2021 House—Hearing: Wednesday, February 10, 2021, 1:30 PM Room 218-N

- H 2039** Bill by Representative Huebert  
**Requiring administration of a basic civics test as part of the course in United States history and government that is necessary for high school graduation and requiring students to take and pass a personal financial literacy course for high school graduation beginning in school year 2024-2025.**
- 01/11/2021 House—Prefiled for Introduction on Wednesday, January 6, 2021  
 01/11/2021 House—Introduced—HJ 53  
 01/12/2021 House—Referred to Committee on Education—HJ 67  
 01/27/2021 House—Hearing: Wednesday, February 3, 2021, 1:30 PM Room 218-N  
 02/11/2021 House—Committee Report without recommendation by Committee on Education—HJ 219  
 02/18/2021 House—Withdrawn from Calendar, Rereferred to Committee on Education—HJ 255  
 02/25/2021 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 305  
 03/03/2021 House—Committee of the Whole - Be passed as amended—HJ 374  
 03/04/2021 House—Final Action - Passed as amended; Yea: 69 Nay: 54  
 03/10/2021 Senate—Received and Introduced—SJ 323  
 03/11/2021 Senate—Referred to Committee on Education—SJ 326  
 03/17/2021 Senate—Hearing: Monday, March 22, 2021, 1:30 PM Room 144-S  
 03/25/2021 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 425  
 03/31/2021 Senate—Committee of the Whole - Be passed as amended—SJ 560  
 03/31/2021 Senate—Emergency Final Action - Passed as amended; Yea: 24 Nay: 15  
 04/06/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Huebert, Representative Thomas and Representative Stogsdill as conferees—HJ 653  
 04/07/2021 Senate—Motion to accede adopted; Senator Baumgardner, Senator Erickson and Senator Sykes appointed as conferees—SJ 582  
 04/08/2021 Senate—Conference Committee Report agree to disagree adopted; Senator Baumgardner, Senator Erickson and Senator Sykes appointed as second conferees—SJ 638  
 04/08/2021 House—Conference Committee Report agree to disagree adopted; Representative Huebert, Representative Thomas and Representative Stogsdill appointed as second conferees—HJ 776  
 04/09/2021 Senate—Conference Committee Report was adopted; Yea: 25 Nay: 13—SJ 1046  
 04/09/2021 House—Conference Committee Report was adopted; Yea: 72 Nay: 51—HJ 1219  
 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278  
 05/03/2021 House—Vetoed by Governor; Returned to House on Thursday, April 22, 2021—HJ 1255  
 05/07/2021 House—No motion to reconsider vetoed bill; Veto sustained—HJ 1543

- H 2040** Bill by Representative Carmichael  
**Changing the workers compensation law presumption of disqualifying drug impairment on the basis of certain drug concentration test levels from conclusive to rebuttable and removing the presumption with respect to marijuana.**
- 01/11/2021 House—Prefiled for Introduction on Wednesday, January 6, 2021  
 01/11/2021 House—Introduced—HJ 53

01/12/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 67

- H 2041** Bill by Representative Carmichael  
**Providing that workers compensation benefits for workers who are receiving social security or retirement benefits at the time of an accident are not reduced due to the receipt of the social security or retirement benefits.**

01/11/2021 House—Prefiled for Introduction on Thursday, January 7, 2021

01/11/2021 House—Introduced—HJ 53

01/12/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 67

- H 2042** Bill by Representative Highland  
**Enacting the Kansas thrift savings plan act.**

01/11/2021 House—Prefiled for Introduction on Thursday, January 7, 2021

01/11/2021 House—Introduced—HJ 53

01/12/2021 House—Referred to Committee on Insurance and Pensions—HJ 67

- H 2043** Bill by Representative Highland  
**Ending legislator participation in KPERS and establishing an annual salary structure for legislators.**

01/11/2021 House—Prefiled for Introduction on Thursday, January 7, 2021

01/11/2021 House—Introduced—HJ 53

01/12/2021 House—Referred to Committee on Appropriations—HJ 67

- H 2044** Bill by Representative Highland  
**Increasing KPERS employee contribution rate for school district employees and making appropriations for FY 2022 for the department of education for a pay increase for KPERS covered school district employees.**

01/11/2021 House—Prefiled for Introduction on Thursday, January 7, 2021

01/11/2021 House—Introduced—HJ 53

01/12/2021 House—Referred to Committee on Insurance and Pensions—HJ 67

02/10/2021 House—Hearing: Monday, February 15, 2021, 3:30 PM Room 218-N

- H 2045** Bill by Representative Owens  
**Revising two tax credits - first by updating the Kansas angel investor tax credit act with respect to the definition of qualified securities, tax credit limitations and amounts, investor requirements and extending the date that credits may be allowed, and second by increasing the tax credit for expenses incurred to make a residence accessible to persons with a disability.**

01/11/2021 House—Prefiled for Introduction on Thursday, January 7, 2021

01/11/2021 House—Introduced—HJ 53

01/11/2021 House—Hearing: Wednesday, January 13, 2021, 1:30 PM Room 346-S

01/12/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 67

02/01/2021 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 146

03/02/2021 House—Committee of the Whole - Be passed as amended—HJ 359

03/03/2021 House—Final Action - Passed as amended; Yea: 112 Nay: 11

03/04/2021 Senate—Received and Introduced—SJ 317

03/05/2021 Senate—Referred to Committee on Commerce—SJ 319

03/17/2021 Senate—Hearing: Wednesday, March 24, 2021, 10:30 AM Room 546-S

- H 2046** Bill by

**Increasing reimbursement rates for providers of home and community-based services under the intellectual or developmental disability waiver, making appropriations for such rates and providing for legislative review of the waiting list for such services.**

01/11/2021 House—Prefiled for Introduction on Friday, January 8, 2021  
 01/11/2021 House—Introduced—HJ 54  
 01/12/2021 House—Referred to Committee on Appropriations—HJ 67  
 03/10/2021 House—Hearing: Wednesday, March 17, 2021, 9:00 AM Room 112-N

**H 2047** Bill by Representatives Ruiz, S., Byers, Woodard

**Repealing the adoption protection act.**

01/11/2021 House—Prefiled for Introduction on Friday, January 8, 2021  
 01/11/2021 House—Introduced—HJ 54  
 01/12/2021 House—Referred to Committee on Federal and State Affairs—HJ 67

**H 2048** Bill by Federal and State Affairs

**Extending certain provisions of the governmental response to the COVID-19 pandemic in Kansas and providing certain relief related to health, welfare, property and economic security during this public health emergency.**

01/12/2021 House—Introduced—HJ 65  
 01/12/2021 House—Hearing: Wednesday, January 13, 2021, 3:30 PM Room 582-N  
 01/13/2021 House—Referred to Committee on Judiciary—HJ 72  
 01/19/2021 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 82

**H 2049** Bill by Legislative Post Audit Committee

**Substitute for HB 2049 by Committee on Judiciary - Prohibiting a public agency from charging a fee for records requested for an audit by the legislative division of post audit.**

01/12/2021 House—Introduced—HJ 65  
 01/13/2021 House—Referred to Committee on Judiciary—HJ 72  
 01/15/2021 House—Hearing: Thursday, January 21, 2021, 3:30 PM Room 582-N  
 02/01/2021 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 147  
 02/03/2021 House—Committee of the Whole - Substitute bill be passed—HJ 161  
 02/03/2021 House—Emergency Final Action - Substitute passed; Yea: 124 Nay: 1  
 02/04/2021 Senate—Received and Introduced—SJ 147  
 02/05/2021 Senate—Referred to Committee on Transparency and Ethics—SJ 154  
 02/17/2021 Senate—Hearing: Wednesday, February 24, 2021, 9:30 AM Room 142-S  
 02/24/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transparency and Ethics—SJ 245  
 03/01/2021 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 262  
 03/05/2021 House—Enrolled and presented to Governor on Friday, March 5, 2021—HJ 457  
 03/12/2021 House—Approved by Governor on Thursday, March 11, 2021

**H 2050** Bill by Legislative Post Audit Committee

**Removing the requirement that certain entities submit certain documents to the division of post audit.**

01/12/2021 House—Introduced—HJ 65  
 01/13/2021 House—Referred to Committee on Judiciary—HJ 72  
 01/15/2021 House—Hearing: Thursday, January 21, 2021, 3:30 PM Room 582-N  
 02/01/2021 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Judiciary—HJ 147

02/11/2021 House—Final Action - Passed; Yea: 122 Nay: 0  
 02/11/2021 Senate—Received and Introduced—SJ 202  
 02/12/2021 Senate—Referred to Committee on Transparency and Ethics—SJ 208  
 03/17/2021 Senate—Hearing: Monday, March 22, 2021, 9:30 AM Room 142-S  
 03/23/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transparency and Ethics—SJ 394  
 03/29/2021 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 438  
 04/06/2021 House—Enrolled and presented to Governor on Friday, April 2, 2021—HJ 656  
 04/09/2021 House—Approved by Governor on Friday, April 9, 2021—HJ 1220

**H 2051** Bill by Elections

**Providing for the filling of a vacancy in the offices of state treasurer and the insurance commissioner by statewide district convention.**

01/13/2021 House—Introduced—HJ 71  
 01/14/2021 House—Referred to Committee on Elections—HJ 76  
 01/21/2021 House—Hearing: Thursday, January 28, 2021, 3:30 PM Room 218-N  
 02/22/2021 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 261  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2052** Bill by Elections

**Authorizing legislative assistants and committee assistants to accept gifts from legislators.**

01/13/2021 House—Introduced—HJ 71  
 01/14/2021 House—Referred to Committee on Elections—HJ 76  
 01/15/2021 House—Hearing: Thursday, January 21, 2021, 3:30 PM Room 218-N  
 01/28/2021 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 142  
 02/03/2021 House—Withdrawn from Calendar, Rereferred to Committee on Elections—HJ 169  
 02/08/2021 House—Hearing: Tuesday, February 9, 2021, 3:30 PM Room 218-N  
 02/10/2021 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 199  
 02/24/2021 House—Committee of the Whole - Be passed as amended—HJ 283  
 02/25/2021 House—Final Action - Passed as amended; Yea: 119 Nay: 5  
 02/25/2021 Senate—Received and Introduced—SJ 250  
 02/26/2021 Senate—Referred to Committee on Transparency and Ethics—SJ 252

**H 2053** Bill by Elections

**Requiring electronic filing of campaign reports by candidates for state office unless an exemption is granted for cause.**

01/13/2021 House—Introduced—HJ 71  
 01/14/2021 House—Referred to Committee on Elections—HJ 76  
 01/15/2021 House—Hearing: Thursday, January 21, 2021, 3:30 PM Room 218-N  
 01/28/2021 House—Committee Report recommending bill be passed by Committee on Elections—HJ 142  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2054** Bill by Elections

**Limiting who may deliver advance ballots, placing limitations on the number of such ballots that a person may deliver and establishing criminal penalties for violations.**

01/13/2021 House—Introduced—HJ 71  
 01/14/2021 House—Referred to Committee on Elections—HJ 76

01/21/2021 House—Hearing: Thursday, January 28, 2021, 3:30 PM Room 218-N

**H 2055** Bill by Elections  
**Making the five-day grace period for the late filing notice for lobbyist reports and statements of substantial interest reports to begin when the notice is deposited in the mail.**

01/13/2021 House—Introduced—HJ 71

01/14/2021 House—Referred to Committee on Elections—HJ 76

**H 2056** Bill by Federal and State Affairs  
**Regulating the sale and distribution of kratom products as a part of and supplemental to the Kansas food, drug and cosmetic act.**

01/13/2021 House—Introduced—HJ 71

01/14/2021 House—Referred to Committee on Federal and State Affairs—HJ 77

01/21/2021 House—Hearing: Tuesday, January 26, 2021, 9:00 AM Room 346-S

02/01/2021 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 147

05/06/2021 House—Committee of the Whole - Be passed—HJ 1387

05/06/2021 House—Emergency Final Action - Passed; Yea: 97 Nay: 24—HJ 1402

05/07/2021 Senate—Received and Introduced—SJ 1399

05/26/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 1401

**H 2057** Bill by Federal and State Affairs  
**Allowing an alcoholic liquor manufacturer to obtain a drinking establishment license under certain conditions.**

01/13/2021 House—Introduced—HJ 71

01/14/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 76

02/11/2021 House—Hearing: Monday, February 15, 2021, 1:30 PM Room 346-S

03/01/2021 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 326

03/02/2021 House—Committee of the Whole - Be passed—HJ 357

03/03/2021 House—Final Action - Passed;

03/03/2021 Senate—Received and Introduced—SJ 306

03/05/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 319

03/11/2021 Senate—Hearing: Monday, March 15, 2021, 10:30 AM Room 144-S

**H 2058** Bill by Federal and State Affairs  
**Providing reciprocity for licenses to carry concealed handguns and creating a new class of concealed carry license for individuals 18 to 20 years of age, and creating the Kansas protection of firearm rights act to restore the right to possess a firearm upon expungement of certain convictions.**

01/13/2021 House—Introduced—HJ 71

01/14/2021 House—Referred to Committee on Federal and State Affairs—HJ 77

01/21/2021 House—Hearing: Wednesday, January 27, 2021, 9:00 AM Room 346-S

02/10/2021 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 200

03/03/2021 House—Committee of the Whole - Be passed as amended—HJ 431

03/04/2021 House—Final Action - Passed as amended; Yea: 85 Nay: 38

03/10/2021 Senate—Received and Introduced—SJ 323

03/11/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 326

03/17/2021 Senate—Hearing: Monday, March 22, 2021, 10:30 AM Room 144-S

04/07/2021 Senate—Committee Report recommending bill be passed as amended by

Committee on Federal and State Affairs—SJ 592

04/07/2021 Senate—Advanced to Final Action

04/08/2021 Senate—Final Action - Passed as amended; Yea: 30 Nay: 8—SJ 616

04/08/2021 House—Concurred with amendments; Yea: 80 Nay: 43—HJ 799

05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278

05/03/2021 House—Vetoed by Governor; Returned to House on Friday, April 23, 2021—HJ 1256

05/03/2021 House—Motion to override veto prevailed; Yea: 84 Nay: 39—HJ 1271

05/03/2021 Senate—Motion to override veto prevailed; Yea: 31 Nay: 8—SJ 1103

**H 2059** Bill by Federal and State Affairs

**Providing reciprocity for licenses to carry concealed handguns and creating two classes of concealed carry licenses.**

01/13/2021 House—Introduced—HJ 71

01/14/2021 House—Referred to Committee on Federal and State Affairs—HJ 77

01/21/2021 House—Hearing: Wednesday, January 27, 2021, 9:00 AM Room 346-S

**H 2060** Bill by Federal and State Affairs

**Establishing daylight saving time as the permanent standard time for the state of Kansas.**

01/13/2021 House—Introduced—HJ 72

01/14/2021 House—Referred to Committee on Federal and State Affairs—HJ 77

**H 2061** Bill by Federal and State Affairs

**Increasing the minimum age to purchase or possess cigarettes and tobacco products from 18 to 21, and prohibiting cigarette vending machines and flavored vaping products.**

01/13/2021 House—Introduced—HJ 72

01/14/2021 House—Referred to Committee on Federal and State Affairs—HJ 77

**H 2062** Bill by Children and Seniors

**Senate Substitute for HB 2062 by Committee on Public Health and Welfare - Prohibiting boards of county commissioners, boards of trustees or employees from restricting visitors of residents of a county home for the aged or patients in a county hospital and permitting such residents and patients to waive state, city or federal restrictions on the right to receive visitors.**

01/13/2021 House—Introduced—HJ 72

01/14/2021 House—Referred to Committee on Children and Seniors—HJ 76

01/22/2021 House—Hearing: Tuesday, January 26, 2021, 1:30 PM Room 152-S

02/05/2021 House—Committee Report recommending bill be passed by Committee on Children and Seniors—HJ 174

02/10/2021 House—Committee of the Whole - Be passed—HJ 193

02/10/2021 House—Emergency Final Action - Passed; Yea: 125 Nay: 0

02/10/2021 Senate—Received and Introduced—SJ 198

02/11/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 202

03/10/2021 Senate—Hearing: Tuesday, March 16, 2021, 8:30 AM Room 142-S

03/30/2021 Senate—Committee Report recommending substitute bill be passed by Committee on Public Health and Welfare—SJ 545

**H 2063** Bill by Joint Pensions, Investments and Benefits

**Providing certain KP&F tier II spousal and children's benefits for death resulting from a service-connected disability and enacting the Michael Wells memorial act.**

01/13/2021 House—Introduced—HJ 72

01/14/2021 House—Referred to Committee on Insurance and Pensions—HJ 77  
 02/03/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Insurance and Pensions—HJ 166  
 02/10/2021 House—Committee of the Whole - Be passed as amended—HJ 193  
 02/10/2021 House—Emergency Final Action - Passed as amended; Yea: 125 Nay: 0  
 02/11/2021 Senate—Received and Introduced—SJ 202  
 02/12/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 208  
 03/10/2021 Senate—Hearing: Thursday, March 11, 2021, 9:30 AM Room 546-S  
 03/11/2021 Senate—Committee Report recommending bill be passed and placed on Consent  
 Calendar by Committee on Financial Institutions and Insurance—SJ 328  
 03/18/2021 Senate—Consent Calendar Passed Yea: 35 Nay: 0—SJ 374  
 03/26/2021 House—Enrolled and presented to Governor on Friday, March 26, 2021—HJ  
 593  
 04/06/2021 House—Approved by Governor on Friday, April 2, 2021—HJ 649

- H 2064** Bill by Joint Pensions, Investments and Benefits  
**Creating the Kansas promise scholarship act to provide postsecondary educational  
 scholarships for certain two-year associate degree programs, career and technical  
 education certificates and other stand-alone programs.**
- 01/13/2021 House—Introduced—HJ 72  
 01/14/2021 House—Referred to Committee on Insurance and Pensions—HJ 77  
 01/26/2021 House—Hearing: Wednesday, January 27, 2021, 3:30 PM Room 218-N  
 02/04/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Insurance and Pensions—HJ 171  
 02/10/2021 House—Committee of the Whole - Be passed as amended—HJ 193  
 02/10/2021 House—Emergency Final Action - Passed as amended;  
 02/11/2021 Senate—Received and Introduced—SJ 202  
 02/12/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 208  
 03/10/2021 Senate—Hearing: Thursday, March 11, 2021, 9:30 AM Room 546-S  
 03/18/2021 Senate—Committee Report recommending bill be passed as amended by  
 Committee on Financial Institutions and Insurance—SJ 380  
 03/30/2021 Senate—Committee of the Whole - Be passed as amended—SJ 481  
 03/31/2021 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0  
 04/08/2021 House—Nonconcurrent with amendments; Conference Committee requested;  
 appointed Representative Tarwater, Representative Long and Representative Clayton as  
 conferees—HJ 694  
 04/08/2021 Senate—Motion to accede adopted; Senator Baumgardner, Senator Erickson and  
 Senator Sykes appointed as conferees—SJ 636  
 04/09/2021 Senate—Suspend 3(f) - 30 minute rule—SJ 1048  
 04/09/2021 Senate—Suspend 3(f) - Distribution of CCR copies—SJ 1048  
 04/09/2021 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 0—SJ 1064  
 04/09/2021 House—Conference Committee Report was adopted; Yea: 118 Nay: 4—HJ 1223  
 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278  
 05/03/2021 House—Approved by Governor on Friday, April 23, 2021—HJ 1266

- H 2065** Bill by Representative Woodard  
**Including source of income as a protected class with respect to housing under the  
 Kansas act against discrimination.**
- 01/13/2021 House—Introduced—HJ 72  
 01/14/2021 House—Referred to Committee on Federal and State Affairs—HJ 77

- H 2066** Bill by Representatives Croft, Owens, Proctor, Tarwater, Thomas, Wasinger  
**Substitute for HB 2066 by Committee on Commerce, Labor and Economic**

**Development - Expanding the military spouse and service members expedited licensure law to all applicants who have established or intend to establish residency in Kansas.**

- 01/14/2021 House—Introduced—HJ 74
- 01/14/2021 House—Hearing: Tuesday, January 19, 2021, 1:30 PM Room 346-S
- 01/15/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 78
- 02/03/2021 House—Committee Report recommending substitute bill be passed by Committee on Commerce, Labor and Economic Development—HJ 166
- 03/02/2021 House—Committee of the Whole - Substitute bill be passed as amended—HJ 354
- 03/03/2021 House—Final Action - Substitute passed as amended; Yea: 103 Nay: 21
- 03/05/2021 Senate—Received and Introduced—SJ 320
- 03/10/2021 Senate—Hearing: Thursday, March 11, 2021, 10:30 AM Room 144-S
- 03/10/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 323
- 03/12/2021 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 330
- 03/17/2021 Senate—Committee of the Whole - Amendment by Senator Hawk was rejected Yea: 16 Nay: 17
- 03/17/2021 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 364
- 03/17/2021 Senate—Emergency Final Action - Substitute passed as amended; Yea: 36 Nay: 2
- 03/25/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Tarwater, Representative Croft and Representative Clayton as conferees—HJ 556
- 03/25/2021 Senate—Motion to accede adopted; Senator Alley, Senator Hilderbrand and Senator Faust-Goudeau appointed as conferees—SJ 411
- 04/08/2021 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 4—SJ 621
- 04/08/2021 House—Conference Committee Report was adopted; Yea: 105 Nay: 17—HJ 777
- 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278
- 05/03/2021 House—Approved by Governor on Wednesday, April 21, 2021—HJ 1266

**H 2067 Bill by K-12 Education Budget  
Requiring the allocation of sufficient school district moneys to improve academic performance of underachieving students.**

- 01/14/2021 House—Introduced—HJ 74
- 01/15/2021 House—Referred to Committee on K-12 Education Budget—HJ 79
- 01/20/2021 House—Hearing: Wednesday, January 27, 2021, 3:30 PM Room 546-S
- 02/04/2021 House—Committee Report recommending bill be passed by Committee on K-12 Education Budget—HJ 171
- 03/05/2021 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 456
- 03/10/2021 House—Withdrawn from Committee on Appropriations and re-referred to Committee of the Whole—HJ 458

**H 2068 Bill by K-12 Education Budget  
Amending the tax credit for low income students scholarship program act to expand student eligibility.**

- 01/14/2021 House—Introduced—HJ 74
- 01/15/2021 House—Referred to Committee on K-12 Education Budget—HJ 79
- 01/20/2021 House—Hearing: Tuesday, January 26, 2021, 3:30 PM Room 546-S
- 02/08/2021 House—Committee Report recommending bill be passed by Committee on K-12 Education Budget—HJ 179

03/05/2021 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 456

03/10/2021 House—Withdrawn from Committee on Appropriations and re-referred to Committee of the Whole—HJ 458

**H 2069** Bill by Financial Institutions and Rural Development  
**Enacting the Kansas economic recovery loan deposit program, updating field of membership requirements of credit unions and allowing privilege tax deductions on agricultural real estate loans and single family residence loans.**

01/14/2021 House—Introduced—HJ 74

01/15/2021 House—Referred to Committee on Financial Institutions and Rural Development—HJ 79

01/21/2021 House—Hearing: Monday, January 25, 2021, 9:00 AM Room 218-N

**H 2070** Bill by Taxation  
**Allowing certain private not-for-profit postsecondary educational institutions to recoup credit card fees by permitting a surcharge for credit card transactions in the same manner as municipal universities, community colleges, technical colleges and vocational educational schools.**

01/14/2021 House—Introduced—HJ 74

01/15/2021 House—Referred to Committee on Taxation—HJ 79

01/20/2021 House—Hearing: Monday, January 25, 2021, 3:30 PM Room 346-S

02/09/2021 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 186

02/17/2021 House—Committee of the Whole - Be passed—HJ 235

02/18/2021 House—Final Action - Passed; Yea: 119 Nay: 3—HJ 241

02/18/2021 Senate—Received and Introduced—SJ 220

02/19/2021 Senate—Referred to Committee on Education—SJ 234

03/01/2021 Senate—Hearing: Thursday, March 11, 2021, 1:30 PM Room 144-S

03/15/2021 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 332

03/25/2021 Senate—Committee of the Whole - Be passed—SJ 416

03/25/2021 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 1

04/06/2021 House—Enrolled and presented to Governor on Friday, April 2, 2021—HJ 656

04/09/2021 House—Approved by Governor on Friday, April 9, 2021—HJ 1220

**H 2071** Bill by Representatives Lynn, Arnberger, Croft, Esau, Finch, Hawkins, Helmer, Hoheisel, Landwehr, Long, Owens, Resman, Ryckman, Samsel, Tarwater, Thomas, Toplikar, Waggoner, Wasinger, Williams, Woodard  
**Increasing the criminal penalties for stalking a minor.**

01/14/2021 House—Introduced—HJ 74

01/15/2021 House—Referred to Committee on Judiciary—HJ 79

01/15/2021 House—Hearing: Wednesday, January 20, 2021, 3:30 PM Room 582-N

02/01/2021 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 147

02/03/2021 House—Committee of the Whole - Be passed—HJ 161

02/03/2021 House—Emergency Final Action - Passed;

02/04/2021 Senate—Received and Introduced—SJ 147

02/05/2021 Senate—Referred to Committee on Judiciary—SJ 154

03/10/2021 Senate—Hearing: Monday, March 15, 2021, 10:30 AM Room 346-S

03/15/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 332

03/24/2021 Senate—Committee of the Whole - Be passed as amended—SJ 400

03/25/2021 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0  
 04/06/2021 House—Concurred with amendments; Yea: 119 Nay: 0—HJ 654  
 04/09/2021 House—Enrolled and presented to Governor on Friday, April 9, 2021—HJ 1253  
 05/03/2021 House—Approved by Governor on Friday, April 16, 2021—HJ 1266

**H 2072** Bill by Insurance and Pensions

**Senate Substitute for HB 2072 by Committee on Financial Institutions and Insurance - Providing for the Kansas corporation commission to authorize the securitization of certain public utility generating facilities, qualified extraordinary costs and issuance of securitized utility tariff bonds.**

01/15/2021 House—Introduced—HJ 78  
 01/19/2021 House—Hearing: Wednesday, January 20, 2021, 3:30 PM Room 218-N  
 01/19/2021 House—Referred to Committee on Insurance and Pensions—HJ 82  
 01/26/2021 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Insurance and Pensions—HJ 130  
 02/10/2021 House—Final Action - Passed; Yea: 123 Nay: 0  
 02/10/2021 Senate—Received and Introduced—SJ 198  
 02/11/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 202  
 03/22/2021 Senate—Committee Report recommending substitute bill be passed by Committee on Financial Institutions and Insurance—SJ 387  
 03/25/2021 Senate—Senator Tyson moved to divide the question.  
 03/25/2021 Senate—Committee of the Whole - Motion to rerefer to committee failed—SJ 416  
 03/25/2021 Senate—Part 1 was retained. Yea: 32 Nay: 7  
 03/25/2021 Senate—Senator Tyson withdrew the remaining division of the question.  
 03/25/2021 Senate—Committee of the Whole - Substitute bill be passed—SJ 416  
 03/25/2021 Senate—Emergency Final Action - Substitute passed; Yea: 33 Nay: 7  
 03/29/2021 House—Concurred with amendments; Yea: 113 Nay: 9—HJ 596  
 04/06/2021 House—Enrolled and presented to Governor on Friday, April 2, 2021—HJ 656  
 04/09/2021 House—Approved by Governor on Friday, April 9, 2021—HJ 1220

**H 2073** Bill by Insurance and Pensions

**Limiting utilization review conducted by health plans under certain circumstances involving the treatment of mental illness or substance abuse disorder.**

01/15/2021 House—Introduced—HJ 78  
 01/19/2021 House—Referred to Committee on Insurance and Pensions—HJ 82

**H 2074** Bill by Insurance and Pensions

**Senate Substitute for HB 2074 by Committee on Financial Institutions and Insurance - Enacting the technology-enabled fiduciary financial institution act, providing requirements, fiduciary powers, duties, functions and limitations for such financial institutions and the administration thereof by the state bank commissioner, creating an income and privilege tax credit for certain qualified distributions from technology-enabled fiduciary financial institutions and the joint committee on fiduciary financial institutions oversight.**

01/15/2021 House—Introduced—HJ 78  
 01/19/2021 House—Hearing: Wednesday, January 20, 2021, 3:30 PM Room 218-N  
 01/19/2021 House—Referred to Committee on Insurance and Pensions—HJ 82  
 02/02/2021 House—Committee Report recommending bill be passed by Committee on Insurance and Pensions—HJ 157  
 02/11/2021 House—Committee of the Whole - Be passed—HJ 213  
 02/11/2021 House—Emergency Final Action - Passed; Yea: 123 Nay: 0  
 02/11/2021 Senate—Received and Introduced—SJ 202

- 02/12/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 208  
 03/30/2021 Senate—Committee Report recommending substitute bill be passed by  
 Committee on Financial Institutions and Insurance—SJ 528  
 03/31/2021 Senate—Committee of the Whole - Substitute bill be passed—SJ 564  
 03/31/2021 Senate—Emergency Final Action - Substitute passed; Yea: 40 Nay: 0  
 04/07/2021 House—Nonconcurrent with amendments; Conference Committee requested;  
 appointed Representative Kelly, Representative Hoheisel and Representative Xu as  
 conferees—HJ 658  
 04/07/2021 Senate—Motion to accede adopted; Senator Longbine, Senator Fagg and Senator  
 Pittman appointed as conferees—SJ 584  
 04/08/2021 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0  
 04/09/2021 House—Conference Committee Report was adopted; Yea: 103 Nay: 20—HJ 817  
 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278  
 05/03/2021 House—Approved by Governor on Wednesday, April 21, 2021—HJ 1266
- H 2075** Bill by Judiciary  
**Allowing venue for an adoption when the state is the agency to be where the state  
 agency or its subcontracting agency has an office.**  
 01/15/2021 House—Introduced—HJ 78  
 01/19/2021 House—Referred to Committee on Judiciary—HJ 82  
 01/20/2021 House—Hearing: Thursday, January 28, 2021, 3:30 PM Room 582-N  
 02/08/2021 House—Committee Report recommending bill be passed by Committee on  
 Judiciary—HJ 179  
 02/10/2021 House—Committee of the Whole - Be passed—HJ 193  
 02/10/2021 House—Emergency Final Action - Passed;  
 02/10/2021 Senate—Received and Introduced—SJ 198  
 02/11/2021 Senate—Referred to Committee on Judiciary—SJ 202  
 03/23/2021 Senate—Hearing: Friday, March 26, 2021, 10:30 AM Room 346-S
- H 2076** Bill by Judiciary  
**Clarifying that bond agents seeking discharge as a surety are required to return the  
 person released on bond to the court in the county where the complaint subject to  
 the bond was filed.**  
 01/15/2021 House—Introduced—HJ 78  
 01/19/2021 House—Referred to Committee on Judiciary—HJ 82  
 01/20/2021 House—Hearing: Wednesday, January 27, 2021, 3:30 PM Room 582-N  
 02/12/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Judiciary—HJ 225  
 02/17/2021 House—Committee of the Whole - Be passed as amended—HJ 235  
 02/18/2021 House—Final Action - Passed as amended;  
 02/18/2021 Senate—Received and Introduced—SJ 220  
 02/19/2021 Senate—Referred to Committee on Judiciary—SJ 234  
 03/18/2021 Senate—Hearing: Monday, March 22, 2021, 10:30 AM Room 346-S
- H 2077** Bill by Corrections and Juvenile Justice  
**Extending the Kansas closed case task force, providing for staff assistance and  
 renaming the task force the Alvin Sykes cold case DNA task force, extending the  
 Kansas criminal justice reform commission, limiting the commission's scope of  
 study and adding a public defender, and authorizing the crime victims  
 compensation board to waive application time restrictions for certain victims to  
 receive compensation for mental health counseling and adding certain children to  
 the definition of victim.**  
 01/15/2021 House—Introduced—HJ 78

01/19/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 82  
 01/20/2021 House—Hearing: Monday, January 25, 2021, 1:30 PM Room 546-S  
 01/28/2021 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 142  
 02/03/2021 House—Committee of the Whole - Be passed as amended—HJ 161  
 02/03/2021 House—Emergency Final Action - Passed as amended; Yea: 120 Nay: 5  
 02/04/2021 Senate—Received and Introduced—SJ 147  
 02/05/2021 Senate—Referred to Committee on Judiciary—SJ 154  
 03/12/2021 Senate—Hearing: Thursday, March 18, 2021, 10:30 AM Room 346-S  
 03/18/2021 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 380  
 03/30/2021 Senate—Committee of the Whole - Be passed as amended—SJ 479  
 03/31/2021 Senate—Final Action - Passed as amended; Yea: 39 Nay: 1  
 04/06/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Jennings, Representative Owens and Representative Highberger as conferees—HJ 653  
 04/07/2021 Senate—Motion to accede adopted; Senator Warren, Senator Wilborn and Senator Haley appointed as conferees—SJ 582  
 05/05/2021 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—SJ 1131  
 05/05/2021 House—Conference Committee Report was adopted; Yea: 115 Nay: 6—HJ 1345  
 05/07/2021 House—Enrolled and presented to Governor on Friday, May 7, 2021—HJ 1543  
 05/26/2021 House—Approved by Governor on Monday, May 17, 2021

**H 2078** Bill by Judiciary

**Suspending statutory speedy trial rights until May 1, 2023, in all criminal cases, providing guidelines for prioritizing trials and requiring the office of judicial administration to prepare and submit a report to the legislature in 2022 and 2023.**

01/20/2021 House—Introduced—HJ 83  
 01/20/2021 House—Hearing: Tuesday, January 26, 2021, 3:30 PM Room 582-N  
 01/21/2021 House—Referred to Committee on Judiciary—HJ 94  
 02/22/2021 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 263  
 02/24/2021 House—Committee of the Whole - Be passed as amended—HJ 283  
 02/25/2021 House—Final Action - Passed as amended; Yea: 107 Nay: 17  
 02/25/2021 Senate—Received and Introduced—SJ 250  
 02/26/2021 Senate—Referred to Committee on Judiciary—SJ 252  
 03/03/2021 Senate—Hearing: Thursday, March 11, 2021, 10:30 AM Room 346-S  
 03/16/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 358  
 03/17/2021 Senate—Committee of the Whole - Be passed as amended—SJ 364  
 03/17/2021 Senate—Emergency Final Action - Passed as amended; Yea: 32 Nay: 7  
 03/22/2021 House—Concurrent with amendments; Yea: 114 Nay: 7—HJ 516  
 03/26/2021 House—Enrolled and presented to Governor on Friday, March 26, 2021—HJ 593  
 03/31/2021 House—Approved by Governor on Tuesday, March 30, 2021—HJ 646

**H 2079** Bill by Judiciary

**Transferring duties concerning address confidentiality program (safe at home) and the registration of charitable organizations from the secretary of state to the attorney general, enacting the Kansas fights addiction act to establish a grant program for the purpose of preventing, reducing, treating and mitigating the effects of substance abuse and addiction and requiring posting of a human trafficking awareness notice approved by the attorney general in certain businesses and**

**public places.**

- 01/20/2021 House—Introduced—HJ 83  
 01/20/2021 House—Hearing: Monday, January 25, 2021, 3:30 PM Room 582-N  
 01/21/2021 House—Referred to Committee on Judiciary—HJ 94  
 02/01/2021 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 147  
 02/03/2021 House—Committee of the Whole - Be passed as amended—HJ 161  
 02/03/2021 House—Emergency Final Action - Passed as amended; Yea: 70 Nay: 54  
 02/04/2021 Senate—Received and Introduced—SJ 147  
 02/05/2021 Senate—Referred to Committee on Ways and Means—SJ 154  
 03/18/2021 Senate—Hearing: Wednesday, March 24, 2021, 10:30 AM Room 548-S  
 03/25/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 429  
 03/30/2021 Senate—Committee of the Whole - Be passed as amended—SJ 481  
 03/31/2021 Senate—Final Action - Passed as amended; Yea: 37 Nay: 3  
 04/06/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Patton, Representative Ralph and Representative Carmichael as conferees—HJ 653  
 04/07/2021 Senate—Motion to accede adopted; Senator Billinger, Senator Claeys and Senator Hawk appointed as conferees—SJ 583  
 05/05/2021 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—SJ 1136  
 05/05/2021 House—Conference Committee Report was adopted; Yea: 78 Nay: 42—HJ 1350  
 05/26/2021 House—Enrolled and presented to Governor on Friday, May 14, 2021—HJ 1550  
 05/26/2021 House—Approved by Governor on Friday, May 21, 2021—HJ 1545

**H 2080** Bill by Judiciary**Transferring duties concerning registration for charitable organizations from the secretary of state to the attorney general.**

- 01/20/2021 House—Introduced—HJ 83  
 01/20/2021 House—Hearing: Monday, January 25, 2021, 3:30 PM Room 582-N  
 01/21/2021 House—Referred to Committee on Judiciary—HJ 94

**H 2081** Bill by Corrections and Juvenile Justice**Modifying how certain prior convictions are counted for the special sentencing rule related to possession of a controlled substance and providing concurrent or consecutive sentencing for persons convicted of new crimes while on release for a felony.**

- 01/20/2021 House—Introduced—HJ 83  
 01/21/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 94  
 01/22/2021 House—Hearing: Thursday, January 28, 2021, 1:30 PM Room 546-S  
 02/03/2021 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 166  
 02/10/2021 House—Committee of the Whole - Be passed as amended—HJ 193  
 02/10/2021 House—Emergency Final Action - Passed as amended; Yea: 69 Nay: 56  
 02/11/2021 Senate—Received and Introduced—SJ 202  
 02/12/2021 Senate—Referred to Committee on Judiciary—SJ 208

**H 2082** Bill by Judiciary**Authorizing the crime victims compensation board to waive application time restrictions for certain victims to receive compensation for mental health counseling and adding certain children to the definition of victim.**

- 01/20/2021 House—Introduced—HJ 83  
 01/20/2021 House—Hearing: Monday, January 25, 2021, 3:30 PM Room 582-N

- 01/21/2021 House—Referred to Committee on Judiciary—HJ 94  
 02/01/2021 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 147  
 02/03/2021 House—Committee of the Whole - Be passed—HJ 161  
 02/03/2021 House—Emergency Final Action - Passed;  
 02/04/2021 Senate—Received and Introduced—SJ 147  
 02/05/2021 Senate—Referred to Committee on Judiciary—SJ 154  
 03/12/2021 Senate—Hearing: Friday, March 19, 2021, 10:30 AM Room 346-S  
 03/30/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 528
- H 2083** Bill by Corrections and Juvenile Justice  
**Requiring legislative members of the sentencing commission to be members of the senate judiciary and the house corrections and juvenile justice committees.**  
 01/20/2021 House—Introduced—HJ 83  
 01/21/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 94  
 01/22/2021 House—Hearing: Thursday, January 28, 2021, 1:30 PM Room 546-S  
 02/03/2021 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 166  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457
- H 2084** Bill by Corrections and Juvenile Justice  
**Allowing earned discharge credit for offenders on probation and limiting the maximum term of supervision on probation.**  
 01/20/2021 House—Introduced—HJ 84  
 01/21/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 94
- H 2085** Bill by Education  
**Creating the students' right to know act to provide information on postsecondary education options.**  
 01/21/2021 House—Introduced—HJ 86  
 01/22/2021 House—Referred to Committee on Education—HJ 104  
 01/22/2021 House—Hearing: Wednesday, January 27, 2021, 1:30 PM Room 218-N  
 02/11/2021 House—Committee Report recommending bill be passed by Committee on Education—HJ 219  
 03/03/2021 House—Committee of the Whole - Be passed—HJ 374  
 03/04/2021 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 437  
 03/05/2021 Senate—Received and Introduced—SJ 320  
 03/10/2021 Senate—Referred to Committee on Education—SJ 323  
 03/17/2021 Senate—Hearing: Tuesday, March 23, 2021, 1:30 PM Room 144-S  
 03/25/2021 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 425  
 03/30/2021 Senate—Committee of the Whole - Be passed—SJ 479  
 03/31/2021 Senate—Final Action - Passed; Yea: 40 Nay: 0  
 04/09/2021 House—Enrolled and presented to Governor on Friday, April 9, 2021—HJ 1253  
 05/03/2021 House—Approved by Governor on Friday, April 16, 2021—HJ 1266
- H 2086** Bill by Education  
**Authorizing schools to maintain emergency medication kits and to administer such medication in emergency situations.**  
 01/21/2021 House—Introduced—HJ 87  
 01/22/2021 House—Referred to Committee on Education—HJ 104  
 01/22/2021 House—Hearing: Tuesday, January 26, 2021, 1:30 PM Room 218-N

**H 2087** Bill by Federal and State Affairs**Limiting the review of certain rules and regulations by the director of the budget.**

01/21/2021 House—Introduced—HJ 87

01/22/2021 House—Referred to Committee on Federal and State Affairs—HJ 104

01/27/2021 House—Hearing: Monday, February 1, 2021, 9:00 AM Room 346-S

02/10/2021 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 203

02/17/2021 House—Committee of the Whole - Be passed as amended—HJ 235

02/18/2021 House—Final Action - Passed as amended; Yea: 109 Nay: 13

02/18/2021 Senate—Received and Introduced—SJ 220

02/19/2021 Senate—Referred to Committee on Ways and Means—SJ 234

03/17/2021 Senate—Hearing: Wednesday, March 24, 2021, 10:30 AM Room 548-S

03/25/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 430

**H 2088** Bill by Federal and State Affairs**Requiring visual observation of an alleged victim of child abuse or neglect as part of an investigation.**

01/21/2021 House—Introduced—HJ 87

01/22/2021 House—Referred to Committee on Federal and State Affairs—HJ 104

01/27/2021 House—Hearing: Monday, February 1, 2021, 9:00 AM Room 346-S

02/22/2021 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 261

03/03/2021 House—Committee of the Whole - Be passed as amended—HJ 374

03/04/2021 House—Final Action - Passed as amended; Yea: 121 Nay: 2

03/10/2021 Senate—Received and Introduced—SJ 323

03/11/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 326

**H 2089** Bill by Federal and State Affairs**Substitute for HB 2089 by Committee on Federal and State Affairs - Standardizing firearm safety education training programs in school districts.**

01/21/2021 House—Introduced—HJ 87

01/22/2021 House—Referred to Committee on Federal and State Affairs—HJ 104

01/25/2021 House—Hearing: Wednesday, January 27, 2021, 9:00 AM Room 346-S

03/15/2021 House—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—HJ 468

03/17/2021 House—Committee of the Whole - Motion to rerefer to committee failed—HJ 498

03/17/2021 House—Committee of the Whole - Substitute bill be passed—HJ 498

03/18/2021 House—Final Action - Substitute passed; Yea: 75 Nay: 47

03/18/2021 Senate—Received and Introduced—SJ 374

03/19/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 382

03/24/2021 Senate—Hearing: Monday, March 29, 2021, 10:30 AM Room 144-S

03/30/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 527

04/07/2021 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 592

04/08/2021 Senate—Final Action - Substitute passed as amended; Yea: 31 Nay: 7—SJ 616

04/08/2021 House—Concurred with amendments; Yea: 79 Nay: 44—HJ 800

05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278

05/03/2021 House—Vetoed by Governor; Returned to House on Thursday, April 22, 2021—HJ 1256

05/07/2021 House—No motion to reconsider vetoed bill; Veto sustained—HJ 1543

**H 2090** Bill by Elections  
**Creating a procedure for appointment of acting official when an elected official's military service causes a vacancy.**

01/21/2021 House—Introduced—HJ 87  
 01/22/2021 House—Referred to Committee on Elections—HJ 104  
 01/22/2021 House—Hearing: Tuesday, January 26, 2021, 3:30 PM Room 218-N  
 02/01/2021 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 146  
 02/03/2021 House—Committee of the Whole - Be passed as amended—HJ 161  
 02/03/2021 House—Emergency Final Action - Passed as amended; Yea: 125 Nay: 0  
 02/04/2021 Senate—Received and Introduced—SJ 147  
 02/05/2021 Senate—Referred to Committee on Transparency and Ethics—SJ 154  
 03/03/2021 Senate—Hearing: Wednesday, March 10, 2021, 9:30 AM Room 142-S  
 03/29/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Transparency and Ethics—SJ 450

**H 2091** Bill by Taxation  
**Providing a refundable income tax credit for certain purchases of food and discontinuing the nonrefundable food sales tax credit.**

01/21/2021 House—Introduced—HJ 87  
 01/22/2021 House—Referred to Committee on Taxation—HJ 104  
 01/22/2021 House—Hearing: Thursday, January 28, 2021, 3:30 PM Room 346-S

**H 2092** Bill by Corrections and Juvenile Justice  
**Removing drug offenders from the registration requirements of the Kansas offender registration act and removing the felony penalty for multiple nonpayments of fees under the act.**

01/21/2021 House—Introduced—HJ 87  
 01/22/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 104

**H 2093** Bill by Judiciary  
**Increasing criminal penalties for fleeing or attempting to elude a police officer when operating a stolen vehicle, committing certain driving violations or causing a collision involving another driver and making fleeing or attempting to elude a police officer evidence of intent to commit theft of a vehicle.**

01/21/2021 House—Introduced—HJ 87  
 01/22/2021 House—Referred to Committee on Judiciary—HJ 104  
 01/22/2021 House—Hearing: Wednesday, January 27, 2021, 3:30 PM Room 582-N  
 02/22/2021 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 263  
 02/24/2021 House—Committee of the Whole - Be passed as amended—HJ 283  
 02/25/2021 House—Final Action - Passed as amended;  
 02/25/2021 Senate—Received and Introduced—SJ 250  
 02/26/2021 Senate—Referred to Committee on Judiciary—SJ 252  
 03/18/2021 Senate—Hearing: Monday, March 22, 2021, 10:30 AM Room 346-S  
 03/25/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 425

**H 2094** Bill by Appropriations  
**Substitute for HB 2094 by Committee on Appropriations - Expanding educational benefits of tuition and fees waiver for spouses and dependents of public safety**

**officers and personnel who are injured or disabled while performing service-related duties.**

- 01/21/2021 House—Introduced—HJ 87  
 01/22/2021 House—Referred to Committee on Appropriations—HJ 104  
 01/25/2021 House—Hearing: Thursday, January 28, 2021, 9:00 AM Room 112-N  
 02/25/2021 House—Committee Report recommending substitute bill be passed by Committee on Appropriations—HJ 302  
 03/16/2021 House—Committee of the Whole - Substitute bill be passed—HJ 473  
 03/17/2021 House—Final Action - Substitute passed; Yea: 117 Nay: 6—HJ 495  
 03/17/2021 Senate—Received and Introduced—SJ 363  
 03/18/2021 Senate—Referred to Committee on Ways and Means—SJ 373  
 03/22/2021 Senate—Hearing: Thursday, March 25, 2021, 10:30 AM Room 548-S  
 03/29/2021 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 470

**H 2095** Bill by Judiciary

**Allowing courts to prohibit possession of a firearm in a temporary custody order pursuant to the care and treatment act for mentally ill persons.**

- 01/21/2021 House—Introduced—HJ 87  
 01/22/2021 House—Referred to Committee on Judiciary—HJ 104  
 01/27/2021 House—Hearing: Tuesday, February 2, 2021, 3:30 PM Room 582-N

**H 2096** Bill by Judiciary

**Authorizing department of corrections employees, local correctional or detention officers, judicial branch employees, municipal court employees and administrative hearing officers to have identifying information restricted from public access on public websites that identify home addresses or home ownership.**

- 01/21/2021 House—Introduced—HJ 87  
 01/22/2021 House—Referred to Committee on Judiciary—HJ 104  
 01/22/2021 House—Hearing: Wednesday, January 27, 2021, 3:30 PM Room 582-N  
 02/08/2021 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 179  
 02/17/2021 House—Committee of the Whole - Be passed—HJ 235  
 02/18/2021 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 242  
 02/18/2021 Senate—Received and Introduced—SJ 220  
 02/19/2021 Senate—Referred to Committee on Transparency and Ethics—SJ 234  
 03/17/2021 Senate—Hearing: Wednesday, March 24, 2021, 9:30 AM Room 142-S  
 03/29/2021 Senate—Committee Report recommending bill be passed by Committee on Transparency and Ethics—SJ 450

**H 2097** Bill by Commerce, Labor and Economic Development

**Decoupling the KIT and KIR workforce training programs from the high performance incentive fund program.**

- 01/21/2021 House—Introduced—HJ 88  
 01/22/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 104  
 01/22/2021 House—Hearing: Monday, January 25, 2021, 1:30 PM Room 346-S  
 02/03/2021 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 166  
 03/02/2021 House—Committee of the Whole - Be passed—HJ 357  
 03/03/2021 House—Final Action - Passed;  
 03/03/2021 Senate—Received and Introduced—SJ 306  
 03/05/2021 Senate—Referred to Committee on Commerce—SJ 319

03/17/2021 Senate—Hearing: Tuesday, March 23, 2021, 10:30 AM Room 546-S

**H 2098** Bill by Judiciary  
**Allowing a court to change a spouse's name to a name that is different than a maiden or former name during a divorce proceeding.**

01/21/2021 House—Introduced—HJ 88

01/22/2021 House—Referred to Committee on Judiciary—HJ 104

01/27/2021 House—Hearing: Thursday, February 4, 2021, 3:30 PM Room 582-N

02/12/2021 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 225

03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2099** Bill by Representative Rhiley  
**Permitting taxpayers to attend BOTA hearings by use of audio or video electronic communication.**

01/21/2021 House—Introduced—HJ 88

01/22/2021 House—Referred jointly to Committee on Judiciary and Committee on Taxation—HJ 104

**H 2100** Bill by Representative Rhiley  
**Designating a bridge on United States highway 166 in Cowley county as the SGT Tyler A Juden memorial bridge.**

01/21/2021 House—Introduced—HJ 88

01/22/2021 House—Referred jointly to Committee on Transportation and Committee on Local Government—HJ 104

**H 2101** Bill by Appropriations  
**Extending transfers from the expanded lottery act revenues fund to the university engineering initiative.**

01/21/2021 House—Introduced—HJ 88

01/22/2021 House—Referred to Committee on Appropriations—HJ 104

01/27/2021 House—Hearing: Tuesday, February 2, 2021, 9:00 AM Room 112-N

02/22/2021 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 260

02/25/2021 House—Committee of the Whole - Be passed as amended—HJ 298

02/25/2021 House—Emergency Final Action - Passed as amended; Yea: 112 Nay: 12—HJ 301

02/26/2021 Senate—Received and Introduced—SJ 252

03/01/2021 Senate—Referred to Committee on Ways and Means—SJ 257

03/17/2021 Senate—Hearing: Tuesday, March 23, 2021, 10:30 AM Room 548-S

03/25/2021 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 429

03/30/2021 Senate—Committee of the Whole - Be passed—SJ 479

03/31/2021 Senate—Final Action - Passed; Yea: 37 Nay: 2

04/09/2021 House—Enrolled and presented to Governor on Friday, April 9, 2021—HJ 1253

05/03/2021 House—Approved by Governor on Friday, April 16, 2021—HJ 1266

**H 2102** Bill by Agriculture  
**Senate Substitute for HB 2102 by Committee on Agriculture and Natural Resources - Updating egg repackaging requirements for retailers.**

01/21/2021 House—Introduced—HJ 88

01/22/2021 House—Referred to Committee on Agriculture—HJ 104

01/26/2021 House—Hearing: Thursday, January 28, 2021, 3:30 PM Room 112-N

02/08/2021 House—Committee Report recommending bill be passed by Committee on Agriculture—HJ 178  
 02/10/2021 House—Committee of the Whole - Be passed—HJ 193  
 02/10/2021 House—Emergency Final Action - Passed; Yea: 123 Nay: 2  
 02/10/2021 Senate—Received and Introduced—SJ 198  
 02/11/2021 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 202  
 03/03/2021 Senate—Hearing: Thursday, March 11, 2021, 8:30 AM Room 144-S  
 03/18/2021 Senate—Committee Report recommending substitute bill be passed by Committee on Agriculture and Natural Resources—SJ 375  
 03/23/2021 Senate—Committee of the Whole - Substitute bill be passed—SJ 393  
 03/24/2021 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0  
 03/30/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Rahjes, Representative Smith, E. and Representative Carlin as conferees—HJ 628  
 03/30/2021 Senate—Motion to accede adopted; Senator Kerschen, Senator Straub and Senator Francisco appointed as conferees—SJ 474  
 04/09/2021 House—Concurred with amendments in conference; Yea: 122 Nay: 1—HJ 835  
 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278  
 05/03/2021 House—Approved by Governor on Wednesday, April 21, 2021—HJ 1266

**H 2103** Bill by Agriculture

**Establishing the Kansas pesticide waste disposal program and permitting up to \$50,000 to be transferred annually from the Kansas agricultural remediation fund to a new Kansas pesticide waste disposal fund.**

01/21/2021 House—Introduced—HJ 88  
 01/22/2021 House—Referred to Committee on Agriculture—HJ 104  
 01/26/2021 House—Hearing: Thursday, January 28, 2021, 3:30 PM Room 112-N  
 02/08/2021 House—Committee Report recommending bill be passed by Committee on Agriculture—HJ 178  
 02/11/2021 House—Committee of the Whole - Be passed—HJ 213  
 02/11/2021 House—Emergency Final Action - Passed; Yea: 123 Nay: 0  
 02/11/2021 Senate—Received and Introduced—SJ 202  
 02/12/2021 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 208  
 03/03/2021 Senate—Hearing: Thursday, March 11, 2021, 8:30 AM Room 144-S

**H 2104** Bill by Taxation

**Senate Substitute for HB 2104 by Committee on Assessment and Taxation - Extending certain budget due dates for schools and notice and hearing requirements when exceeding the revenue neutral rate for property tax purposes, changing time to request full and complete opinion from the state board tax appeals, requiring the state board of tax appeals to serve orders and notices by electronic means if requested by the party, prohibiting valuation increases of certain property in appeals, requiring appraisal directives to require compliance with uniform standards of professional appraisal practice, providing for notice and opportunity to be heard prior to removal from county appraiser eligibility list, providing notification when person no longer holds office of county appraiser, placing the burden of proof on the county appraiser in certain valuation and classification appeal hearings before the district court, requiring appraisal courses for appraisers to be courses approved by the Kansas real estate appraisal board, extending the time a state board of tax appeals member may continue to serve after such member's term expires and authorizing appointment of a member pro tempore under certain conditions.**

01/21/2021 House—Introduced—HJ 88

01/22/2021 House—Referred to Committee on Taxation—HJ 104  
 01/22/2021 House—Hearing: Wednesday, January 27, 2021, 3:30 PM Room 346-S  
 02/03/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Taxation—HJ 166  
 02/17/2021 House—Committee of the Whole - Be passed as amended—HJ 236  
 02/18/2021 House—Final Action - Passed as amended;  
 02/18/2021 Senate—Received and Introduced—SJ 220  
 02/19/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 234  
 03/04/2021 Senate—Hearing: Wednesday, March 10, 2021, 9:30 AM Room 548-S  
 03/24/2021 Senate—Committee Report recommending substitute bill be passed by  
 Committee on Assessment and Taxation—SJ 406  
 03/25/2021 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ  
 419  
 03/25/2021 Senate—Emergency Final Action - Substitute passed as amended; Yea: 39 Nay: 0  
 03/29/2021 House—Nonconcurrent with amendments; Conference Committee requested;  
 appointed Representative Smith, A., Representative Mason and Representative Gartner  
 as conferees—HJ 366  
 03/29/2021 Senate—Motion to accede adopted; Senator Tyson, Senator Alley and Senator  
 Holland appointed as conferees—SJ 437  
 03/31/2021 Senate—Conference Committee Report was adopted; Yea: 25 Nay: 14—SJ 569  
 04/06/2021 House—Substitute motion to not adopt and appoint a conference committee  
 failed—HJ 655  
 04/06/2021 House—Conference Committee Report was adopted; Yea: 77 Nay: 42—HJ 656  
 04/09/2021 House—Enrolled and presented to Governor on Friday, April 9, 2021—HJ 1253  
 05/03/2021 House—Approved by Governor on Monday, April 19, 2021—HJ 1266

**H 2105** Bill by Taxation  
**Establishing tax withholding requirements when certain employees work in multiple states.**

01/21/2021 House—Introduced—HJ 88  
 01/22/2021 House—Referred to Committee on Taxation—HJ 104  
 01/27/2021 House—Hearing: Wednesday, February 3, 2021, 3:30 PM Room 346-S  
 02/22/2021 House—Committee Report recommending bill be passed by Committee on  
 Taxation—HJ 272

**H 2106** Bill by Taxation  
**Extending the dates when corporate tax returns are required to be filed and providing conformity with the federal return due date for returns other than corporate returns, exempting compensation income attributable as a result of identity fraud, providing a subtraction modification for amounts received from retirement plans, exempting social security benefits and providing a temporary withholding option for certain teleworking employees.**

01/21/2021 House—Introduced—HJ 88  
 01/22/2021 House—Referred to Committee on Taxation—HJ 104  
 01/22/2021 House—Hearing: Wednesday, January 27, 2021, 3:30 PM Room 346-S  
 02/03/2021 House—Committee Report recommending bill be passed by Committee on  
 Taxation—HJ 166  
 03/04/2021 House—Committee of the Whole - Be passed—HJ 445  
 03/04/2021 House—Emergency Final Action - Passed; Yea: 123 Nay: 0  
 03/05/2021 Senate—Received and Introduced—SJ 320  
 03/10/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 323  
 03/10/2021 Senate—Hearing: Tuesday, March 16, 2021, 9:30 AM Room 548-S  
 03/29/2021 Senate—Committee Report recommending bill be passed as amended by

Committee on Assessment and Taxation—SJ 440

03/30/2021 Senate—Committee of the Whole - Be passed as further amended—SJ 481

03/31/2021 Senate—Final Action - Passed as amended; Yea: 24 Nay: 15

04/07/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Smith, A., Representative Mason and Representative Gartner as conferees—HJ 658

04/07/2021 Senate—Motion to accede adopted; Senator Tyson, Senator Alley and Senator Holland appointed as conferees—SJ 585

05/06/2021 Senate—Senator Warren, Senator Baumgardner, and Senator Haley are appointed to replace Senator Tyson, Senator Alley, and Senator Holland on the Conference Committee—SJ 1257

**H 2107** Bill by Representative Collins

**Regulating funeral processions and creating a violation for not properly yielding to funeral processions.**

01/21/2021 House—Introduced—HJ 88

01/22/2021 House—Referred to Committee on Transportation—HJ 104

01/27/2021 House—Hearing: Tuesday, February 2, 2021, 1:30 PM Room 582-N

02/08/2021 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 179

03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2108** Bill by Federal and State Affairs

**Concerning the study and investigation of maternal deaths in the state of Kansas and requiring the secretary of health and environment to establish an external review committee to review black maternal death cases.**

01/21/2021 House—Introduced—HJ 98

01/22/2021 House—Referred to Committee on Federal and State Affairs—HJ 104

**H 2109** Bill by Judiciary

**Increasing the county population threshold for a county to be required to have a lawyer representative, increasing the number of lawyer members and decreasing the number of non-lawyer members on the board of indigents' defense services.**

01/21/2021 House—Introduced—HJ 98

01/22/2021 House—Referred to Committee on Judiciary—HJ 104

01/22/2021 House—Hearing: Tuesday, January 26, 2021, 3:30 PM Room 582-N

02/08/2021 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 179

02/11/2021 House—Committee of the Whole - Be passed—HJ 213

02/11/2021 House—Emergency Final Action - Passed; Yea: 87 Nay: 36

02/11/2021 Senate—Received and Introduced—SJ 202

02/12/2021 Senate—Referred to Committee on Judiciary—SJ 208

03/18/2021 Senate—Hearing: Monday, March 22, 2021, 10:30 AM Room 346-S

**H 2110** Bill by Insurance and Pensions

**Requiring insurance coverage for PANS and PANDAS by the state health care benefits program and requiring the state employee health care commission to submit an impact report on such coverage to the legislature.**

01/21/2021 House—Introduced—HJ 99

01/22/2021 House—Referred to Committee on Insurance and Pensions—HJ 104

02/05/2021 House—Hearing: Wednesday, February 10, 2021, 3:30 PM Room 218-N

**H 2111** Bill by Insurance and Pensions

**Providing membership in the KP&F retirement system for certain security officers of the department of corrections.**

01/21/2021 House—Introduced—HJ 99

01/22/2021 House—Referred to Committee on Insurance and Pensions—HJ 104

03/17/2021 House—Hearing: Monday, March 22, 2021, 3:30 PM Room 218-N

**H 2112** Bill by Commerce, Labor and Economic Development  
**Permitting online advertisement and sales of abandoned property by self-storage rental unit operators; providing for the designation by occupants of an alternate contact and limiting claims for loss or damage of stored property to the property value limit provided in the rental agreement.**

01/21/2021 House—Introduced—HJ 99

01/22/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 104

01/22/2021 House—Hearing: Monday, January 25, 2021, 1:30 PM Room 346-S

02/03/2021 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 166

02/10/2021 House—Committee of the Whole - Be passed—HJ 193

02/10/2021 House—Emergency Final Action - Passed; Yea: 120 Nay: 5—HJ 194

02/10/2021 Senate—Received and Introduced—SJ 198

02/11/2021 Senate—Referred to Committee on Commerce—SJ 202

03/03/2021 Senate—Hearing: Thursday, March 11, 2021, 10:30 AM Room 546-S

03/15/2021 Senate—Committee Report recommending bill be passed by Committee on Commerce—SJ 332

03/25/2021 Senate—Committee of the Whole - Be passed—SJ 416

03/25/2021 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 1

04/06/2021 House—Enrolled and presented to Governor on Friday, April 2, 2021—HJ 656

04/09/2021 House—Approved by Governor on Friday, April 9, 2021—HJ 1220

**H 2113** Bill by Representative Xu  
**Establishing the advisory commission on Asian-American Pacific Islander affairs.**

01/22/2021 House—Introduced—HJ 100

01/25/2021 House—Referred to Committee on Federal and State Affairs—HJ 113

**H 2114** Bill by Children and Seniors  
**Establishing the senior care task force, a definition of financial exploitation and Kansas elder and dependent adult abuse multidisciplinary team coordinator and teams, requiring additional mandatory reporters, increasing investigation days for reports of abuse, neglect and financial exploitation of certain adults and directing the department for children and families to inform certain chief administrative officers of substantiated findings of such reports.**

01/22/2021 House—Introduced—HJ 100

01/25/2021 House—Hearing: Thursday, January 28, 2021, 1:30 PM Room 152-S

01/25/2021 House—Referred to Committee on Children and Seniors—HJ 113

02/09/2021 House—Committee Report recommending bill be passed as amended by Committee on Children and Seniors—HJ 186

02/18/2021 House—Committee of the Whole - Be passed as amended—HJ 248

02/18/2021 House—Emergency Final Action - Passed as amended;

02/19/2021 Senate—Received and Introduced—SJ 234

02/22/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 236

03/17/2021 Senate—Hearing: Tuesday, March 23, 2021, 8:30 AM Room 142-S

03/25/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 428

- 03/30/2021 Senate—Committee of the Whole - Be passed as further amended—SJ 482  
 03/31/2021 Senate—Final Action - Passed as amended; Yea: 38 Nay: 2  
 04/07/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Concannon, Representative Esau and Representative Ousley as conferees—HJ 663  
 04/07/2021 Senate—Motion to accede adopted; Senator Hilderbrand, Senator Gossage and Senator Pettey appointed as conferees—SJ 613  
 04/09/2021 Senate—Conference Committee Report was adopted; Yea: 34 Nay: 4—SJ 1070  
 04/09/2021 House—Conference Committee Report was adopted; Yea: 115 Nay: 7—HJ 1229  
 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278  
 05/03/2021 House—Approved by Governor on Wednesday, April 21, 2021—HJ 1266
- H 2115** Bill by Children and Seniors  
**Establishing the joint committee on child welfare system oversight.**  
 01/22/2021 House—Introduced—HJ 101  
 01/25/2021 House—Referred to Committee on Children and Seniors—HJ 113  
 01/27/2021 House—Hearing: Thursday, February 4, 2021, 1:30 PM Room 152-S  
 02/09/2021 House—Committee Report recommending bill be passed as amended by Committee on Children and Seniors—HJ 186  
 02/17/2021 House—Committee of the Whole - Be passed as amended—HJ 235  
 02/18/2021 House—Final Action - Passed as amended; Yea: 118 Nay: 4  
 02/18/2021 Senate—Received and Introduced—SJ 220  
 02/19/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 234  
 03/10/2021 Senate—Hearing: Wednesday, March 17, 2021, 8:30 AM Room 142-S  
 03/24/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 408
- H 2116** Bill by Children and Seniors  
**Exempting the caregiver of a child in state out-of-home placement from the child care assistance 20-hour-per-week work requirement.**  
 01/22/2021 House—Introduced—HJ 101  
 01/25/2021 House—Referred to Committee on Children and Seniors—HJ 113  
 01/27/2021 House—Hearing: Tuesday, February 2, 2021, 1:30 PM Room 152-S  
 02/10/2021 House—Committee Report recommending bill be passed by Committee on Children and Seniors—HJ 199  
 03/04/2021 House—Committee of the Whole - Be passed—HJ 445  
 03/04/2021 House—Emergency Final Action - Passed; Yea: 123 Nay: 0  
 03/05/2021 Senate—Received and Introduced—SJ 320  
 03/10/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 323  
 03/17/2021 Senate—Hearing: Thursday, March 25, 2021, 8:30 AM Room 142-S  
 03/25/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 428
- H 2117** Bill by Representative Highberger  
**Providing for adjusted income tax rates and sales tax treatment for food and food ingredients and feminine hygiene products.**  
 01/22/2021 House—Introduced—HJ 101  
 01/25/2021 House—Referred to Committee on Taxation—HJ 113
- H 2118** Bill by Elections  
**Deleting the treasurer's name from candidate political advertisements and requiring clear and obvious attribution in advertisements.**  
 01/22/2021 House—Introduced—HJ 101

01/25/2021 House—Referred to Committee on Elections—HJ 113  
 01/29/2021 House—Hearing: Thursday, February 4, 2021, 3:30 PM Room 218-N  
 02/08/2021 House—Committee Report recommending bill be passed by Committee on Elections—HJ 178  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

- H 2119** Bill by K-12 Education Budget  
**Substitute for HB 2119 by Committee on K-12 Education Budget – Making and concerning appropriations for the department of education for fiscal years ending June 30, 2021, June 30, 2022, and June 30, 2023, creating and expanding school choice programs, restricting remote learning and remote enrollment and extending the statewide property tax levy for schools.**
- 01/22/2021 House—Introduced—HJ 111  
 01/25/2021 House—Referred to Committee on K-12 Education Budget—HJ 113  
 02/03/2021 House—Hearing: Monday, February 8, 2021, 3:30 PM Room 546-S  
 02/12/2021 House—Committee Report recommending bill be passed as amended by Committee on K-12 Education Budget—HJ 226  
 02/23/2021 House—Withdrawn from Calendar, Rereferred to Committee on K-12 Education Budget—HJ 275  
 03/01/2021 House—Committee Report recommending substitute bill be passed by Committee on K-12 Education Budget—HJ 327  
 03/05/2021 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 456  
 03/10/2021 House—Withdrawn from Committee on Appropriations and re-referred to Committee of the Whole—HJ 458  
 03/30/2021 House—Committee of the Whole - Substitute bill be passed as amended—HJ 632  
 03/30/2021 House—Emergency Final Action - Substitute passed as amended; Yea: 65 Nay: 58  
 04/06/2021 Senate—Received and Introduced—SJ 575  
 04/07/2021 Senate—Referred to Committee on Education—SJ 581

- H 2120** Bill by Judiciary  
**Removing the spousal exception from the crime of sexual battery.**
- 01/22/2021 House—Introduced—HJ 111  
 01/25/2021 House—Referred to Committee on Judiciary—HJ 113  
 01/27/2021 House—Hearing: Tuesday, February 2, 2021, 3:30 PM Room 582-N  
 02/08/2021 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 179  
 02/11/2021 House—Committee of the Whole - Be passed—HJ 213  
 02/11/2021 House—Emergency Final Action - Passed; Yea: 110 Nay: 13  
 02/12/2021 Senate—Received and Introduced—SJ 209  
 02/15/2021 Senate—Referred to Committee on Judiciary—SJ 210

- H 2121** Bill by Corrections and Juvenile Justice  
**Increasing the criminal penalty for mistreatment of a dependent adult or elder person when the victim is a resident of an adult care home, adding definitions related to defendants who abscond from supervision in the criminal procedure code and for parole and clarifying that bond agents seeking discharge as a surety are required to return the person released on bond to the court in the county where the complaint subject to the bond was filed, requiring the department of corrections to develop guidance to be used by parole officers when responding to violations of parole and postrelease supervision and that incentivize compliant behavior, and**

**authorizing court services officers and community corrections officers to provide a certification of identification to offenders for use to obtain a new driver's license.**

- 01/22/2021 House—Introduced—HJ 111  
 01/25/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 113  
 01/28/2021 House—Hearing: Monday, February 1, 2021, 1:30 PM Room 546-S  
 02/08/2021 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 178  
 02/11/2021 House—Committee of the Whole - Be passed as amended—HJ 213  
 02/11/2021 House—Emergency Final Action - Passed as amended; Yea: 101 Nay: 22  
 02/12/2021 Senate—Received and Introduced—SJ 209  
 02/15/2021 Senate—Referred to Committee on Judiciary—SJ 210  
 03/19/2021 Senate—Hearing: Thursday, March 25, 2021, 10:30 AM Room 346-S  
 03/25/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 425  
 03/30/2021 Senate—Committee of the Whole - Be passed as amended—SJ 481  
 03/31/2021 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0  
 04/06/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Jennings, Representative Owens and Representative Highberger as conferees—HJ 653  
 04/07/2021 Senate—Motion to accede adopted; Senator Warren, Senator Wilborn and Senator Haley appointed as conferees—SJ 583  
 05/05/2021 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—SJ 1139  
 05/05/2021 House—Conference Committee Report was adopted; Yea: 121 Nay: 0—HJ 1357  
 05/07/2021 House—Enrolled and presented to Governor on Friday, May 7, 2021—HJ 1543  
 05/26/2021 House—Approved by Governor on Monday, May 17, 2021

- H 2122** Bill by Federal and State Affairs  
**Enacting the supported decision-making agreements act to provide a statutory framework for adults who want decision-making assistance.**  
 01/22/2021 House—Introduced—HJ 111  
 01/25/2021 House—Referred to Committee on Federal and State Affairs—HJ 113  
 02/02/2021 House—Withdrawn from Committee on Federal and State Affairs; Referred to Committee on Judiciary—HJ 157  
 03/05/2021 House—Hearing: Thursday, March 11, 2021, 3:30 PM Room 582-N  
 03/22/2021 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 517
- H 2123** Bill by Representatives Fairchild, Lee, Murphy, Sutton  
**Establishing the Kansas legal tender act and providing for an income tax modification for sales of specie legal tender.**  
 01/25/2021 House—Introduced—HJ 112  
 01/26/2021 House—Referred to Committee on Taxation—HJ 116
- H 2124** Bill by Education  
**Clarifying the authority of healing arts school clinics to provide healing arts services.**  
 01/25/2021 House—Introduced—HJ 112  
 01/26/2021 House—Hearing: Wednesday, January 27, 2021, 1:30 PM Room 218-N  
 01/26/2021 House—Referred to Committee on Education—HJ 115  
 02/11/2021 House—Committee Report recommending bill be passed by Committee on Education—HJ 219  
 02/18/2021 House—Committee of the Whole - Be passed—HJ 247  
 02/18/2021 House—Emergency Final Action - Passed; Yea: 121 Nay: 0  
 02/18/2021 Senate—Received and Introduced—SJ 220

02/19/2021 Senate—Referred to Committee on Education—SJ 234  
 03/01/2021 Senate—Hearing: Thursday, March 11, 2021, 1:30 PM Room 144-S  
 03/15/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Education—SJ 332  
 03/18/2021 Senate—Consent Calendar Passed Yea: 35 Nay: 0—SJ 375  
 03/26/2021 House—Enrolled and presented to Governor on Friday, March 26, 2021—HJ 593  
 03/31/2021 House—Approved by Governor on Tuesday, March 30, 2021—HJ 646

**H 2125** Bill by Judiciary

**Allowing a copy of a will to be filed and admitted to probate and allowing a will or a copy of a will filed within six months after the death of the testator to be admitted to probate at any time.**

01/25/2021 House—Introduced—HJ 112  
 01/26/2021 House—Referred to Committee on Judiciary—HJ 115  
 01/27/2021 House—Hearing: Thursday, February 4, 2021, 3:30 PM Room 582-N  
 02/12/2021 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 225  
 02/18/2021 House—Committee of the Whole - Be passed as amended—HJ 248  
 02/18/2021 House—Emergency Final Action - Passed as amended; Yea: 118 Nay: 3  
 02/19/2021 Senate—Received and Introduced—SJ 234  
 02/22/2021 Senate—Referred to Committee on Judiciary—SJ 236  
 03/19/2021 Senate—Hearing: Thursday, March 25, 2021, 10:30 AM Room 346-S

**H 2126** Bill by Judiciary

**Providing immunity from civil liability for COVID-19 claims for certain covered facilities, including adult care homes, community mental health centers, crisis intervention centers, community service providers and community developmental disability organizations.**

01/25/2021 House—Introduced—HJ 112  
 01/26/2021 House—Referred to Committee on Judiciary—HJ 115  
 01/27/2021 House—Hearing: Wednesday, February 3, 2021, 3:30 PM Room 582-N  
 02/25/2021 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 307  
 03/03/2021 House—Committee of the Whole - Be passed as amended—HJ 374  
 03/04/2021 House—Final Action - Passed as amended; Yea: 85 Nay: 37—HJ 438  
 03/10/2021 Senate—Received and Introduced—SJ 323  
 03/11/2021 Senate—Referred to Committee on Judiciary—SJ 326  
 03/17/2021 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 368  
 03/24/2021 Senate—Committee of the Whole - Be passed—SJ 400  
 03/25/2021 Senate—Final Action - Passed; Yea: 30 Nay: 7  
 04/06/2021 House—Enrolled and presented to Governor on Friday, April 2, 2021—HJ 656  
 04/09/2021 House—Approved by Governor on Friday, April 9, 2021—HJ 1220

**H 2127** Bill by Judiciary

**Requiring the department for children and families to release information to the public related to a child fatality caused by abuse or neglect when criminal charges are filed related to the fatality.**

01/25/2021 House—Introduced—HJ 112  
 01/26/2021 House—Referred to Committee on Judiciary—HJ 115  
 01/27/2021 House—Hearing: Monday, February 1, 2021, 3:30 PM Room 582-N  
 02/12/2021 House—Committee Report recommending bill be passed as amended by

Committee on Judiciary—HJ 225

03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2128** Bill by Corrections and Juvenile Justice  
**Clarifying jurisdiction and supervision of offenders in a certified drug abuse treatment program.**

01/25/2021 House—Introduced—HJ 112

01/26/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 115

01/28/2021 House—Hearing: Monday, February 1, 2021, 1:30 PM Room 546-S

02/22/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Corrections and Juvenile Justice—HJ 261

03/01/2021 House—Committee of the Whole - Be passed as amended—HJ 325

03/02/2021 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 339

03/02/2021 Senate—Received and Introduced—SJ 282

03/03/2021 Senate—Referred to Committee on Judiciary—SJ 283

03/19/2021 Senate—Hearing: Wednesday, March 24, 2021, 10:30 AM Room 346-S

**H 2129** Bill by Insurance and Pensions  
**Providing for tobacco cessation benefits coverage under the state health care benefits program.**

01/25/2021 House—Introduced—HJ 113

01/26/2021 House—Referred to Committee on Insurance and Pensions—HJ 115

02/03/2021 House—Hearing: Wednesday, February 10, 2021, 3:30 PM Room 218-N

**H 2130** Bill by Taxation  
**Providing a tax lid exception for transportation construction projects.**

01/25/2021 House—Introduced—HJ 113

01/26/2021 House—Referred to Committee on Taxation—HJ 116

**H 2131** Bill by K-12 Education Budget  
**Making the high-density at-risk student weighting of the Kansas school equity and enhancement act permanent by removing the sunset provision.**

01/25/2021 House—Introduced—HJ 113

01/26/2021 House—Referred to Committee on K-12 Education Budget—HJ 115

**H 2132** Bill by Representative Carlson  
**Designating a bridge on United States highway 77 as the PFC Loren H Larson memorial bridge.**

01/25/2021 House—Introduced—HJ 113

01/26/2021 House—Referred to Committee on Transportation—HJ 116

02/03/2021 House—Hearing: Wednesday, February 10, 2021, 1:30 PM Room 582-N

**H 2133** Bill by Representatives Fairchild, Finney, Houser, Murphy, Parker, Xu  
**Requiring a law enforcement officer executing a search warrant at residential premises to be uniformed and to knock and announce themselves before entering the property.**

01/26/2021 House—Introduced—HJ 114

01/27/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 132

**H 2134** Bill by Insurance and Pensions  
**Making appropriations for the Kansas state department of education for FY 2021, FY 2022 and FY 2023; requiring a Kansas foster care children annual academic report card; authorizing limited remote learning; providing the criteria for identification of students eligible to receive at-risk programs and services; requiring boards of**

**education to allocate sufficient school district moneys to improve student academic performance; authorizing school districts to pay tuition and fees for concurrent and dual enrollment programs; expanding student eligibility under the tax credit for low income students scholarship program; extending the high-density at-risk weighting; providing ACT college entrance exams and workkeys assessments to certain nonpublic school students.**

01/26/2021 House—Introduced—HJ 114

01/26/2021 House—Hearing: Wednesday, January 27, 2021, 3:30 PM Room 218-N

01/27/2021 House—Referred to Committee on Insurance and Pensions—HJ 132

02/04/2021 House—Committee Report recommending bill be passed by Committee on Insurance and Pensions—HJ 171

02/11/2021 House—Committee of the Whole - Be passed—HJ 213

02/11/2021 House—Emergency Final Action - Passed; Yea: 123 Nay: 0

02/11/2021 Senate—Received and Introduced—SJ 202

02/12/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 208

03/17/2021 Senate—Hearing: Tuesday, March 23, 2021, 9:30 AM Room 546-S

03/23/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 394

03/29/2021 Senate—Committee of the Whole - Be passed as amended—SJ 440

03/30/2021 Senate—Final Action - Passed as amended; Yea: 38 Nay: 2

04/06/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative S. Johnson, Representative Croft and Representative Neighbor as conferees—HJ 651

04/06/2021 Senate—Motion to accede adopted; Senator Longbine, Senator Peck and Senator Holscher appointed as conferees—SJ 577

05/05/2021 Senate—Senator Baumgardner, Senator Erickson, and Senator Sykes are appointed to replace Senator Longbine, Senator Peck, and Senator Holscher on the Conference Committee—SJ 1255

05/06/2021 House—Representative Williams, Representative Hoffman, and Representative Winn are appointed to replace Representative S. Johnson, Representative Croft, and Representative Neighbor on the Conference Committee—HJ 1387

05/07/2021 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 4—SJ 1341

05/07/2021 House—Conference Committee Report was adopted; Yea: 107 Nay: 9—HJ 1492

05/26/2021 House—Enrolled and presented to Governor on Friday, May 14, 2021—HJ 1550

05/26/2021 House—Approved by Governor on Monday, May 24, 2021—HJ 1545

**H 2135** Bill by Insurance and Pensions

**Establishing the securities act victim restitution program.**

01/26/2021 House—Introduced—HJ 114

01/27/2021 House—Referred to Committee on Insurance and Pensions—HJ 132

01/27/2021 House—Hearing: Monday, February 1, 2021, 3:30 PM Room 218-N

**H 2136** Bill by Insurance and Pensions

**Updating certain statutes relating to the regulation of the business of insurance; granting the commissioner of insurance certain investigative powers.**

01/26/2021 House—Introduced—HJ 114

01/27/2021 House—Referred to Committee on Insurance and Pensions—HJ 132

01/27/2021 House—Hearing: Monday, February 1, 2021, 3:30 PM Room 218-N

02/19/2021 House—Committee Report recommending bill be passed as amended by Committee on Insurance and Pensions—HJ 257

02/24/2021 House—Committee of the Whole - Be passed as amended—HJ 283

02/25/2021 House—Final Action - Passed as amended; Yea: 124 Nay: 0

02/25/2021 Senate—Received and Introduced—SJ 250

02/26/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 252  
 03/17/2021 Senate—Hearing: Tuesday, March 23, 2021, 9:30 AM Room 546-S  
 03/23/2021 Senate—Committee Report recommending bill be passed as amended by  
 Committee on Financial Institutions and Insurance—SJ 394  
 03/30/2021 Senate—Committee of the Whole - Be passed as amended—SJ 481  
 03/31/2021 Senate—Final Action - Passed as amended; Yea: 38 Nay: 2

**H 2137** Bill by Federal and State Affairs

**Making amendments regarding licensure to sell alcoholic liquor and cereal malt beverages, authorizing transfers of bulk alcoholic liquor by certain licensees and authorizing the sale of alcoholic liquor and cereal malt beverages on specified days and times and subject to certain conditions by licensees under the Kansas liquor control act and the club and drinking establishment act.**

01/26/2021 House—Introduced—HJ 114  
 01/27/2021 House—Referred to Committee on Federal and State Affairs—HJ 132  
 01/27/2021 House—Hearing: Wednesday, February 3, 2021, 9:00 AM Room 346-S  
 02/03/2021 House—Committee Report recommending bill be passed by Committee on  
 Federal and State Affairs—HJ 166  
 03/01/2021 House—Committee of the Whole - Be passed as amended—HJ 324  
 03/02/2021 House—Final Action - Passed as amended; Yea: 122 Nay: 2—HJ 340  
 03/02/2021 Senate—Received and Introduced—SJ 282  
 03/03/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 283  
 03/03/2021 Senate—Hearing: Wednesday, March 10, 2021, 10:30 AM Room 144-S  
 03/18/2021 Senate—Committee Report recommending bill be passed as amended by  
 Committee on Federal and State Affairs—SJ 376  
 03/23/2021 Senate—Committee of the Whole - Be passed as amended—SJ 393  
 03/24/2021 Senate—Final Action - Passed as amended; Yea: 31 Nay: 8  
 03/30/2021 House—Nonconcurrent with amendments; Conference Committee requested;  
 appointee Representative Barker, Representative Arnberger and Representative Ruiz, L.  
 as conferees—HJ 628  
 03/30/2021 Senate—Motion to accede adopted; Senator Alley, Senator Hilderbrand and  
 Senator Faust-Goudeau appointed as conferees—SJ 474  
 05/07/2021 Senate—Conference Committee Report was adopted; Yea: 30 Nay: 9—SJ 1306  
 05/07/2021 House—Conference Committee Report was adopted; Yea: 101 Nay: 18—HJ  
 1466  
 05/26/2021 House—Enrolled and presented to Governor on Friday, May 14, 2021—HJ 1550  
 05/26/2021 House—Approved by Governor on Wednesday, May 19, 2021—HJ 1545

**H 2138** Bill by Federal and State Affairs

**Senate Substitute for HB 2138 by Committee on Federal and State Affairs - Authorizing the suspension or revocation of licenses for violations of lawful orders, sales on Sunday and certain holidays and the sale and removal of beer and cereal malt beverage in certain containers.**

01/26/2021 House—Introduced—HJ 115  
 01/27/2021 House—Referred to Committee on Federal and State Affairs—HJ 132  
 01/27/2021 House—Hearing: Wednesday, February 3, 2021, 9:00 AM Room 346-S  
 02/22/2021 House—Hearing: Friday, February 26, 2021, 9:00 AM Room 346-S  
 03/01/2021 House—Committee Report recommending bill be passed by Committee on  
 Federal and State Affairs—HJ 327  
 03/02/2021 House—Committee of the Whole - Be passed—HJ 357  
 03/03/2021 House—Final Action - Passed; Yea: 120 Nay: 4  
 03/03/2021 Senate—Received and Introduced—SJ 306  
 03/05/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 319

- 03/11/2021 Senate—Hearing: Monday, March 15, 2021, 10:30 AM Room 144-S  
 03/18/2021 Senate—Committee Report recommending substitute bill be passed by  
 Committee on Federal and State Affairs—SJ 375  
 04/07/2021 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ  
 592  
 04/08/2021 Senate—Final Action - Substitute passed as amended; Yea: 33 Nay: 6—SJ 617  
 04/09/2021 House—Nonconcurrent with amendments; Conference Committee requested;  
 appointed Representative Barker, Representative Arnberger and Representative Ruiz, L.  
 as conferees—HJ 835  
 05/03/2021 Senate—Motion to accede adopted; Senator Alley, Senator Hilderbrand and  
 Senator Faust-Goudeau appointed as conferees—SJ 1097

- H 2139** Bill by Corrections and Juvenile Justice  
**Reducing the criminal penalties for most severity level 5 drug crimes and increasing the  
 penalties for offenders in criminal history category 5-I.**  
 01/26/2021 House—Introduced—HJ 115  
 01/27/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 132  
 02/03/2021 House—Hearing: Wednesday, February 10, 2021, 1:30 PM Room 546-S
- H 2140** Bill by Representatives Highberger, Carlin, Clayton, Curtis, Day, Featherston, Helgerson,  
 Kuether, Ruiz, S., Woodard  
**Prohibiting the carrying of a concealed handgun in the state capitol.**  
 01/26/2021 House—Introduced—HJ 115  
 01/27/2021 House—Referred to Committee on Federal and State Affairs—HJ 132
- H 2141** Bill by Taxation  
**Increasing the Kansas standard deduction for income tax purposes.**  
 01/26/2021 House—Introduced—HJ 115  
 01/27/2021 House—Referred to Committee on Taxation—HJ 132  
 02/03/2021 House—Hearing: Monday, February 8, 2021, 3:30 PM Room 346-S
- H 2142** Bill by Taxation  
**Providing for reimbursement of property taxes from county government for business  
 shutdown or capacity limitation caused by the county.**  
 01/26/2021 House—Introduced—HJ 115  
 01/27/2021 House—Referred to Committee on Taxation—HJ 132  
 02/03/2021 House—Hearing: Tuesday, February 9, 2021, 3:30 PM Room 346-S
- H 2143** Bill by Taxation  
**Extending the date that the sales tax exemption for certain cash rebates on sales or  
 leases of new motor vehicles for sales tax purposes would apply, increasing the  
 sales tax collection thresholds for payment by retailers, modifying the exemption  
 for construction materials for certain educational institutions, defining nonprofit  
 integrated community care organizations and providing a sales tax exemption  
 therefor and providing a sales tax exemption for friends of hospice of Jefferson  
 county.**  
 01/26/2021 House—Introduced—HJ 115  
 01/27/2021 House—Referred to Committee on Taxation—HJ 132  
 02/03/2021 House—Hearing: Thursday, February 11, 2021, 3:30 PM Room 346-S  
 02/18/2021 House—Committee Report recommending bill be passed by Committee on  
 Taxation—HJ 254  
 03/04/2021 House—Committee of the Whole - Be passed—HJ 445  
 03/04/2021 House—Emergency Final Action - Passed; Yea: 119 Nay: 4

- 03/05/2021 Senate—Received and Introduced—SJ 320  
 03/10/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 323  
 03/10/2021 Senate—Hearing: Wednesday, March 17, 2021, 9:30 AM Room 548-S  
 03/30/2021 Senate—Committee Report recommending bill be passed as amended by  
 Committee on Assessment and Taxation—SJ 497  
 03/31/2021 Senate—Committee of the Whole - Be passed as amended—SJ 561  
 03/31/2021 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0  
 04/07/2021 House—Nonconcurrent with amendments; Conference Committee requested;  
 appointed Representative Smith, A., Representative Mason and Representative Gartner  
 as conferees—HJ 658  
 04/07/2021 Senate—Motion to accede adopted; Senator Tyson, Senator Alley and Senator  
 Holland appointed as conferees—SJ 585  
 04/09/2021 Senate—Suspend 3(f) - 30 minute Rule—SJ 1048  
 04/09/2021 Senate—Suspend 3(f) - Distribution of CCR copies—SJ 1048  
 04/09/2021 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 0—SJ 1079  
 04/09/2021 House—Conference Committee Report was adopted; Yea: 118 Nay: 3—HJ 1250  
 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278  
 05/03/2021 House—Approved by Governor on Wednesday, April 21, 2021—HJ 1266
- H 2144** Bill by Corrections and Juvenile Justice  
**Requiring an offender who raises error in such offender's criminal history calculation  
 for the first time on appeal to show prejudicial error.**  
 01/26/2021 House—Introduced—HJ 115  
 01/27/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 132  
 02/03/2021 House—Hearing: Tuesday, February 9, 2021, 1:30 PM Room 546-S  
 02/18/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Corrections and Juvenile Justice—HJ 251  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457
- H 2145** Bill by Energy, Utilities and Telecommunications  
**Exempting the retail sale of electricity by public utilities for electric vehicle charging  
 stations from the jurisdiction of the state corporation commission.**  
 01/26/2021 House—Introduced—HJ 115  
 01/27/2021 House—Referred to Committee on Energy, Utilities and Telecommunications—  
 HJ 132  
 01/29/2021 House—Hearing: Tuesday, February 2, 2021, 9:00 AM Room 582-N  
 02/02/2021 House—Hearing: Thursday, February 4, 2021, 9:00 AM Room 582-N  
 02/10/2021 House—Committee Report recommending bill be passed by Committee on  
 Energy, Utilities and Telecommunications—HJ 200  
 03/01/2021 House—Committee of the Whole - Be passed—HJ 323  
 03/02/2021 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 340  
 03/02/2021 Senate—Received and Introduced—SJ 282  
 03/03/2021 Senate—Referred to Committee on Utilities—SJ 284  
 03/10/2021 Senate—Hearing: Monday, March 15, 2021, 1:30 PM Room 548-S  
 03/16/2021 Senate—Committee Report recommending bill be passed by Committee on  
 Utilities—SJ 360  
 03/25/2021 Senate—Committee of the Whole - Be passed—SJ 416  
 03/25/2021 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 2  
 04/06/2021 House—Enrolled and presented to Governor on Friday, April 2, 2021—HJ 656  
 04/09/2021 House—Approved by Governor on Friday, April 9, 2021—HJ 1220
- H 2146** Bill by Corrections and Juvenile Justice  
**Expanding the number of presumptive probation and border grid blocks in the**

**sentencing grid for drug crimes.**

- 01/27/2021 House—Introduced—HJ 131  
 01/28/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 136  
 02/03/2021 House—Hearing: Wednesday, February 10, 2021, 1:30 PM Room 546-S  
 02/25/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Corrections and Juvenile Justice—HJ 303  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2147** Bill by Corrections and Juvenile Justice  
**Allowing early discharge from prison for certain drug offenders.**

- 01/27/2021 House—Introduced—HJ 131  
 01/28/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 136  
 02/11/2021 House—Hearing: Tuesday, February 16, 2021, 1:30 PM Room 546-S

**H 2148** Bill by Taxation  
**Providing a sales tax exemption for purchases by gage park memorial, inc.**

- 01/27/2021 House—Introduced—HJ 131  
 01/28/2021 House—Referred to Committee on Taxation—HJ 136

**H 2149** Bill by Children and Seniors  
**Permitting an internal panel in the department for children and families to permit individuals in certain circumstances who have been convicted of certain crimes to reside, work or regularly volunteer at family foster homes licensed by the secretary.**

- 01/27/2021 House—Introduced—HJ 131  
 01/28/2021 House—Hearing: Tuesday, February 2, 2021, 1:30 PM Room 152-S  
 01/28/2021 House—Referred to Committee on Children and Seniors—HJ 136  
 02/25/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Children and Seniors—HJ 302  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2150** Bill by Children and Seniors  
**Creating a definition of financial exploitation, requiring additional mandatory reporters, increasing investigation days for reports of abuse, neglect and financial exploitation of certain adults and directing the department for children and families to inform certain chief administrative officers of substantiated findings of such reports.**

- 01/27/2021 House—Introduced—HJ 131  
 01/28/2021 House—Hearing: Wednesday, February 3, 2021, 1:30 PM Room 152-S  
 01/28/2021 House—Referred to Committee on Children and Seniors—HJ 136  
 02/10/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Children and Seniors—HJ 199  
 03/05/2021 House—Withdrawn from Calendar; Referred to Committee on Appropriations—  
 HJ 456  
 03/10/2021 House—Withdrawn from Committee on Appropriations; Referred to Committee  
 on Judiciary—HJ 459  
 03/10/2021 House—Hearing: Wednesday, March 17, 2021, 3:30 PM Room 582-N  
 03/22/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Judiciary—HJ 517  
 03/24/2021 House—Committee of the Whole - Be passed as amended—HJ 540  
 03/25/2021 House—Final Action - Passed as amended; Yea: 118 Nay: 4  
 03/25/2021 Senate—Received and Introduced—SJ 411  
 03/26/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 434

- H 2151** Bill by Children and Seniors  
**Creating Kansas elder and dependent adult abuse multidisciplinary teams and a coordinator.**  
 01/27/2021 House—Introduced—HJ 131  
 01/28/2021 House—Hearing: Wednesday, February 3, 2021, 1:30 PM Room 152-S  
 01/28/2021 House—Referred to Committee on Children and Seniors—HJ 136  
 02/10/2021 House—Committee Report recommending bill be passed by Committee on Children and Seniors—HJ 199  
 02/18/2021 House—Committee of the Whole - Be passed—HJ 247  
 02/18/2021 House—Emergency Final Action - Passed; Yea: 121 Nay: 0  
 02/18/2021 Senate—Received and Introduced—SJ 220  
 02/19/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 234  
 03/17/2021 Senate—Hearing: Tuesday, March 23, 2021, 8:30 AM Room 142-S  
 03/29/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 450
- H 2152** Bill by Judiciary  
**Clarifying how property held under a transfer-on-death deed is distributed when one beneficiary predeceases the grantor.**  
 01/27/2021 House—Introduced—HJ 132  
 01/27/2021 House—Hearing: Thursday, February 4, 2021, 3:30 PM Room 582-N  
 01/28/2021 House—Referred to Committee on Judiciary—HJ 136  
 02/12/2021 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 226  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457
- H 2153** Bill by Judiciary  
**Senate Substitute for HB 2153 by Committee on Judiciary - Establishing the office of the child advocate within the office of the attorney general and the joint committee on child welfare system oversight.**  
 01/27/2021 House—Introduced—HJ 132  
 01/28/2021 House—Referred to Committee on Judiciary—HJ 136  
 02/05/2021 House—Hearing: Monday, February 8, 2021, 3:30 PM Room 582-N  
 02/25/2021 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 307  
 03/02/2021 House—Committee of the Whole - Be passed—HJ 357  
 03/03/2021 House—Final Action - Passed; Yea: 124 Nay: 0  
 03/03/2021 Senate—Received and Introduced—SJ 306  
 03/05/2021 Senate—Referred to Committee on Judiciary—SJ 319  
 03/19/2021 Senate—Hearing: Thursday, March 25, 2021, 10:30 AM Room 346-S  
 03/30/2021 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 528  
 03/31/2021 Senate—Committee of the Whole - Substitute bill be passed—SJ 564  
 03/31/2021 Senate—Emergency Final Action - Substitute passed;
- H 2154** Bill by Judiciary  
**Authorizing the department of education to contract with a private vendor to install and operate school bus cameras.**  
 01/27/2021 House—Introduced—HJ 132  
 01/28/2021 House—Referred to Committee on Judiciary—HJ 136  
 02/03/2021 House—Hearing: Wednesday, February 10, 2021, 3:30 PM Room 582-N  
 02/24/2021 House—Committee Report recommending bill be passed by Committee on

Judiciary—HJ 289

03/05/2021 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 456

03/10/2021 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Judiciary—HJ 458

**H 2155** Bill by Agriculture

**Providing for department of health and environment response operations for water and soil pollutant release, discharge or escape.**

01/27/2021 House—Introduced—HJ 132

01/28/2021 House—Referred to Committee on Agriculture—HJ 136

01/29/2021 House—Hearing: Thursday, February 4, 2021, 3:30 PM Room 112-N

02/11/2021 House—Committee Report recommending bill be passed by Committee on Agriculture—HJ 219

02/18/2021 House—Committee of the Whole - Be passed—HJ 248

02/18/2021 House—Emergency Final Action - Passed; Yea: 85 Nay: 36—HJ 249

02/18/2021 Senate—Received and Introduced—SJ 220

02/19/2021 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 234

03/03/2021 Senate—Hearing: Friday, March 12, 2021, 8:30 AM Room 144-S

03/16/2021 Senate—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—SJ 358

03/24/2021 Senate—Committee of the Whole - Be passed—SJ 400

03/25/2021 Senate—Final Action - Passed;

04/06/2021 House—Enrolled and presented to Governor on Friday, April 2, 2021—HJ 656

04/09/2021 House—Approved by Governor on Friday, April 9, 2021—HJ 1220

**H 2156** Bill by Agriculture

**Authorizing the on-farm retail sale of raw, unpasteurized milk so long as certain labeling and advertising requirements are met and providing civil penalties for violations of such requirements.**

01/27/2021 House—Introduced—HJ 132

01/28/2021 House—Referred to Committee on Agriculture—HJ 136

**H 2157** Bill by Health and Human Services

**Establishing restrictions on the use of step therapy protocols by health insurance plans.**

01/27/2021 House—Introduced—HJ 133

01/28/2021 House—Referred to Committee on Health and Human Services—HJ 136

01/29/2021 House—Hearing: Wednesday, February 3, 2021, 1:30 PM Room 112-N

**H 2158** Bill by Health and Human Services

**Establishing the joint committee on child welfare system oversight, providing certain exceptions to the confidentiality of state child death review board documents, requiring visual observation of an alleged victim of child abuse or neglect as part of an investigation, exempting the caregiver of a child in state out-of-home placement from the child care assistance 20-hour-per-week work requirement, permitting the secretary for children and families to license certain family foster homes where a former foster care youth with certain juvenile adjudications resides making permanent provisions for the advisory committee on trauma and the statewide trauma system regional council to conduct closed meetings and keep privileged records regarding trauma cases.**

01/27/2021 House—Introduced—HJ 133

01/28/2021 House—Referred to Committee on Health and Human Services—HJ 136

02/02/2021 House—Withdrawn from Committee on Health and Human Services; Referred

to Committee on Financial Institutions and Rural Development—HJ 157  
 02/05/2021 House—Hearing: Wednesday, February 10, 2021, 9:00 AM Room 218-N  
 02/10/2021 House—Committee Report recommending bill be passed by Committee on  
 Financial Institutions and Rural Development—HJ 200  
 02/17/2021 House—Committee of the Whole - Be passed—HJ 235  
 02/18/2021 House—Final Action - Passed; Yea: 121 Nay: 1  
 02/18/2021 Senate—Received and Introduced—SJ 220  
 02/19/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 234  
 03/10/2021 Senate—Hearing: Thursday, March 18, 2021, 8:30 AM Room 142-S  
 03/19/2021 Senate—Committee Report recommending bill be passed as amended by  
 Committee on Public Health and Welfare—SJ 382  
 03/30/2021 Senate—Committee of the Whole - Be passed as amended—SJ 481  
 03/31/2021 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0  
 04/08/2021 House—Nonconcurrent with amendments; Conference Committee requested;  
 appointed Representative Concannon, Representative Esau and Representative Ousley  
 as conferees—HJ 694  
 04/08/2021 Senate—Motion to accede adopted; Senator Hilderbrand, Senator Gossage and  
 Senator Pettey appointed as conferees—SJ 638  
 05/05/2021 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—SJ 1163  
 05/05/2021 House—Conference Committee Report was adopted; Yea: 121 Nay: 0—HJ 1359  
 05/26/2021 House—Enrolled and presented to Governor on Friday, May 14, 2021—HJ 1550  
 05/26/2021 House—Approved by Governor on Friday, May 21, 2021—HJ 1545

**H 2159** Bill by Health and Human Services  
**Permitting the administration of certain tests, questionnaires, surveys and  
 examinations regarding student beliefs and practices on an opt-out basis and  
 providing conditions therefor.**

01/27/2021 House—Introduced—HJ 133  
 01/28/2021 House—Referred to Committee on Health and Human Services—HJ 136

**H 2160** Bill by Health and Human Services  
**Establishing certification and funding for certified community behavioral health clinics.**

01/27/2021 House—Introduced—HJ 133  
 01/28/2021 House—Referred to Committee on Health and Human Services—HJ 136  
 01/29/2021 House—Hearing: Thursday, February 4, 2021, 1:30 PM Room 112-N  
 02/09/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Health and Human Services—HJ 186  
 03/05/2021 House—Withdrawn from Calendar; Referred to Committee on Appropriations—  
 HJ 456  
 03/10/2021 House—Withdrawn from Committee on Appropriations and re-referred to  
 Committee of the Whole—HJ 458  
 03/11/2021 House—Withdrawn from Calendar, Rereferred to Committee on Health and  
 Human Services—HJ 465

**H 2161** Bill by Health and Human Services  
**Renaming the Kansas state board of cosmetology, creating new categories of licenses  
 issued thereby and extending the board's enforcement authority to non-licensees.**

01/27/2021 House—Introduced—HJ 133  
 01/28/2021 House—Referred to Committee on Health and Human Services—HJ 136

**H 2162** Bill by Elections  
**Amending and repealing reapportionment census data laws to conform with 2019  
 amendments to the Kansas constitution and to remove certain obsolete provisions.**

01/28/2021 House—Introduced—HJ 134  
 01/29/2021 House—Referred to Committee on Elections—HJ 144  
 01/29/2021 House—Hearing: Tuesday, February 2, 2021, 3:30 PM Room 218-N  
 02/03/2021 House—Committee Report recommending bill be passed by Committee on Elections—HJ 166  
 02/15/2021 House—Withdrawn from Calendar, Rereferred to Committee on Elections—HJ 229  
 02/24/2021 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Elections—HJ 288  
 03/02/2021 House—Final Action - Passed; Yea: 123 Nay: 0—HJ 337  
 03/02/2021 Senate—Received and Introduced—SJ 282  
 03/03/2021 Senate—Referred to Committee on Transparency and Ethics—SJ 284  
 03/10/2021 Senate—Hearing: Wednesday, March 17, 2021, 9:30 AM Room 142-S  
 03/23/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transparency and Ethics—SJ 394  
 03/29/2021 Senate—Consent Calendar Passed Yea: 38 Nay: 1—SJ 439  
 04/06/2021 House—Enrolled and presented to Governor on Friday, April 2, 2021—HJ 656  
 04/09/2021 House—Approved by Governor on Friday, April 9, 2021—HJ 1220

**H 2163** Bill by Elections

**Repealing obsolete election laws relating to the use of census data adjustments, repealing obsolete statutes relating to the 1988 census, the presidential preference primary and certain elections-related corporate contribution restrictions.**

01/28/2021 House—Introduced—HJ 134  
 01/29/2021 House—Referred to Committee on Elections—HJ 144  
 01/29/2021 House—Hearing: Thursday, February 4, 2021, 3:30 PM Room 218-N  
 02/08/2021 House—Committee Report recommending bill be passed by Committee on Elections—HJ 178  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2164** Bill by Transportation

**Requiring drivers to proceed with due caution when passing stationary vehicles displaying hazard warning lights and providing a penalty for violation.**

01/28/2021 House—Introduced—HJ 135  
 01/29/2021 House—Referred to Committee on Transportation—HJ 144  
 01/29/2021 House—Hearing: Wednesday, February 3, 2021, 1:30 PM Room 582-N  
 02/08/2021 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 179  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2165** Bill by Transportation

**Providing for all vehicles more than 35 years old to qualify as an antique vehicle.**

01/28/2021 House—Introduced—HJ 135  
 01/29/2021 House—Referred to Committee on Transportation—HJ 144  
 01/29/2021 House—Hearing: Wednesday, February 3, 2021, 1:30 PM Room 582-N  
 02/08/2021 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 179  
 02/11/2021 House—Committee of the Whole - Be passed as amended—HJ 213  
 02/11/2021 House—Emergency Final Action - Passed as amended; Yea: 114 Nay: 9  
 02/12/2021 Senate—Received and Introduced—SJ 209  
 02/15/2021 Senate—Referred to Committee on Transportation—SJ 210  
 03/12/2021 Senate—Hearing: Thursday, March 18, 2021, 8:30 AM Room 546-S  
 03/23/2021 Senate—Committee Report recommending bill be passed as amended by

Committee on Transportation—SJ 394

03/29/2021 Senate—Committee of the Whole - Be passed as amended—SJ 440

03/30/2021 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0

04/07/2021 House—Concurred with amendments; Yea: 117 Nay: 5—HJ 659

04/09/2021 House—Enrolled and presented to Governor on Friday, April 9, 2021—HJ 1253

05/03/2021 House—Approved by Governor on Friday, April 16, 2021—HJ 1266

**H 2166** Bill by Transportation

**Substitute for HB 2166 by Committee on Transportation - Providing for the Braden's hope for childhood cancer, proud educator, delta sigma theta, Gadsden flag, love, Chloe foundation and alpha kappa alpha distinctive license plates and providing distinctive license plates for current and veteran members of the United States army, navy, marine corps, air force, coast guard and space force, modifying the requirements to begin production on distinctive license plates, requiring reporting by sponsoring organizations of distinctive license plates, allowing certain license plates issued by the division of vehicles to be personalized license plates and establishing a fee on firefighter distinctive license plates.**

01/28/2021 House—Introduced—HJ 135

01/29/2021 House—Referred to Committee on Transportation—HJ 144

02/03/2021 House—Hearing: Tuesday, February 9, 2021, 1:30 PM Room 582-N

02/15/2021 House—Committee Report recommending substitute bill be passed by Committee on Transportation—HJ 231

03/01/2021 House—Committee of the Whole - Be passed as amended—HJ 325

03/02/2021 House—Final Action - Substitute passed as amended; Yea: 124 Nay: 0—HJ 341

03/02/2021 Senate—Received and Introduced—SJ 282

03/03/2021 Senate—Referred to Committee on Transportation—SJ 284

03/23/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 394

03/24/2021 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 403

03/25/2021 Senate—Final Action - Substitute passed as amended;

03/30/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Proehl, Representative Delperdang and Representative Helgerson as conferees—HJ 629

03/30/2021 Senate—Motion to accede adopted; Senator Petersen, Senator Claeys and Senator Hawk appointed as conferees—SJ 474

04/06/2021 Senate—Conference Committee Report agree to disagree adopted; Senator Petersen, Senator Claeys and Senator Hawk appointed as second conferees—SJ 576

04/07/2021 House—Conference Committee Report agree to disagree adopted; Representative Proehl, Representative Delperdang and Representative Helgerson appointed as second conferees—HJ 661

04/08/2021 Senate—Conference Committee Report was adopted; Yea: 29 Nay: 5—SJ 659

04/08/2021 House—Substitute motion to not adopt and appoint a conference committee failed—HJ 793

04/08/2021 House—Conference Committee Report was adopted; Yea: 81 Nay: 41—HJ 793

05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278

05/03/2021 House—Vetoed by Governor; Returned to House on Friday, April 23, 2021—HJ 1257

05/03/2021 House—Motion to override veto prevailed; Yea: 86 Nay: 37—HJ 1268

05/03/2021 Senate—Motion to override veto prevailed; Yea: 28 Nay: 12—SJ 1102

**H 2167** Bill by Transportation

**Permitting concrete mixer trucks and requiring dump trucks to display license plates**

**on the front of vehicles.**

- 01/28/2021 House—Introduced—HJ 135  
 01/29/2021 House—Referred to Committee on Transportation—HJ 144  
 01/29/2021 House—Hearing: Wednesday, February 3, 2021, 1:30 PM Room 582-N  
 02/08/2021 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 179  
 02/10/2021 House—Committee of the Whole - Be passed—HJ 193  
 02/10/2021 House—Emergency Final Action - Passed; Yea: 125 Nay: 0  
 02/10/2021 Senate—Received and Introduced—SJ 198  
 02/11/2021 Senate—Referred to Committee on Transportation—SJ 202  
 03/12/2021 Senate—Hearing: Friday, March 19, 2021, 8:30 AM Room 546-S  
 03/25/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 428  
 03/29/2021 Senate—Committee of the Whole - Be passed as amended—SJ 440  
 03/30/2021 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0  
 04/07/2021 House—Concurred with amendments; Yea: 122 Nay: 0—HJ 660  
 04/09/2021 House—Enrolled and presented to Governor on Friday, April 9, 2021—HJ 1253  
 05/03/2021 House—Approved by Governor on Friday, April 16, 2021—HJ 1266

**H 2168** Bill by Transportation  
**Decreasing the plate commitment and cost requirement for new distinctive license plate production.**

- 01/28/2021 House—Introduced—HJ 135  
 01/29/2021 House—Referred to Committee on Transportation—HJ 144

**H 2169** Bill by Transportation  
**Providing for the proud educator license distinctive license plate and decreasing the plate commitment prior to production.**

- 01/28/2021 House—Introduced—HJ 135  
 01/29/2021 House—Referred to Committee on Transportation—HJ 144  
 02/03/2021 House—Hearing: Tuesday, February 9, 2021, 1:30 PM Room 582-N

**H 2170** Bill by Commerce, Labor and Economic Development  
**Amending the Kansas rural housing incentive district act to permit bond funding for vertical residential renovation of older buildings in central business districts.**

- 01/28/2021 House—Introduced—HJ 135  
 01/29/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 144

**H 2171** Bill by Commerce, Labor and Economic Development  
**Providing for the transferability of high performance incentive fund tax credits.**

- 01/28/2021 House—Introduced—HJ 135  
 01/29/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 144

**H 2172** Bill by Water  
**Modifying water usage calculations and fees for multi-year flex accounts and permitting alternative base average water use calculations and prorated terms.**

- 01/28/2021 House—Introduced—HJ 135  
 01/29/2021 House—Referred to Committee on Water—HJ 144  
 02/03/2021 House—Hearing: Tuesday, February 9, 2021, 9:00 AM Room 152-S  
 02/10/2021 House—Committee Report recommending bill be passed as amended by Committee on Water—HJ 203

02/17/2021 House—Committee of the Whole - Be passed as amended—HJ 235  
 02/18/2021 House—Final Action - Passed as amended;  
 02/18/2021 Senate—Received and Introduced—SJ 220  
 02/19/2021 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 234  
 03/03/2021 Senate—Hearing: Friday, March 12, 2021, 8:30 AM Room 144-S  
 03/16/2021 Senate—Committee Report recommending bill be passed by Committee on  
 Agriculture and Natural Resources—SJ 358  
 03/23/2021 Senate—Committee of the Whole - Be passed—SJ 393  
 03/24/2021 Senate—Final Action - Passed; Yea: 40 Nay: 0  
 03/29/2021 House—Enrolled and presented to Governor on Monday, March 29, 2021—HJ  
 616  
 04/06/2021 House—Approved by Governor on Monday, April 5, 2021—HJ 652

**H 2173** Bill by Taxation  
**Requiring marketplace facilitators to collect and remit sales, use, transient guest taxes  
 and 911 fees from sales made through their platforms, providing nexus for certain  
 retailers and removing click-through nexus provisions.**

01/28/2021 House—Introduced—HJ 135  
 01/29/2021 House—Referred to Committee on Taxation—HJ 144  
 02/03/2021 House—Hearing: Wednesday, February 10, 2021, 3:30 PM Room 346-S

**H 2174** Bill by Appropriations  
**Establishing the rural hospital innovation grant program to assist rural hospitals in  
 serving rural communities.**

01/28/2021 House—Introduced—HJ 135  
 01/29/2021 House—Referred to Committee on Appropriations—HJ 144  
 02/03/2021 House—Hearing: Wednesday, February 10, 2021, 9:00 AM Room 112-N  
 03/10/2021 House—Withdrawn from Committee on Appropriations; Referred to Committee  
 on Health and Human Services—HJ 458  
 03/11/2021 House—Hearing: Tuesday, March 16, 2021, 1:30 PM Room 112-N

**H 2175** Bill by Local Government  
**Creating the Dwayne Peaslee technical training center district.**

01/28/2021 House—Introduced—HJ 136  
 01/29/2021 House—Referred to Committee on Local Government—HJ 144  
 02/03/2021 House—Hearing: Wednesday, February 10, 2021, 9:00 AM Room 281-N  
 02/17/2021 House—Committee Report recommending bill be passed by Committee on  
 Local Government—HJ 236  
 02/25/2021 House—Committee of the Whole - Be passed—HJ 298  
 02/25/2021 House—Emergency Final Action - Passed; Yea: 122 Nay: 2—HJ 299  
 02/25/2021 Senate—Received and Introduced—SJ 250  
 02/26/2021 Senate—Referred to Committee on Local Government—SJ 252  
 03/03/2021 Senate—Hearing: Thursday, March 11, 2021, 9:30 AM Room 142-S  
 03/23/2021 Senate—Committee Report recommending bill be passed by Committee on  
 Local Government—SJ 394

**H 2176** Bill by Local Government  
**Clarify the vacation or exclusion of territory from city boundaries or release of  
 easements.**

01/28/2021 House—Introduced—HJ 136  
 01/29/2021 House—Referred to Committee on Local Government—HJ 144  
 02/01/2021 House—Hearing: Wednesday, February 3, 2021, 9:00 AM Room 281-N  
 03/05/2021 House—Withdrawn from Committee on Local Government; Referred to

- Committee on Appropriations—HJ 456  
 03/10/2021 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Local Government—HJ 458  
 03/24/2021 House—Committee Report recommending bill be passed as amended by Committee on Local Government—HJ 546  
 03/25/2021 House—Committee of the Whole - Be passed as amended—HJ 556  
 03/25/2021 House—Emergency Final Action - Passed as amended; Yea: 120 Nay: 2  
 03/29/2021 Senate—Received and Introduced—SJ 437  
 03/30/2021 Senate—Referred to Committee on Local Government—SJ 473
- H 2177** Bill by Local Government  
**Providing for the dissolution of special districts and the assumption of responsibilities by a city or county.**  
 01/28/2021 House—Introduced—HJ 136  
 01/29/2021 House—Referred to Committee on Local Government—HJ 144  
 02/01/2021 House—Hearing: Wednesday, February 3, 2021, 9:00 AM Room 281-N
- H 2178** Bill by Local Government  
**Vacating certain blocks in the original town plat set aside for a college and a park in the city of Americus and vesting fee simple title in the city.**  
 01/28/2021 House—Introduced—HJ 136  
 01/29/2021 House—Referred to Committee on Local Government—HJ 144  
 02/01/2021 House—Hearing: Wednesday, February 3, 2021, 9:00 AM Room 281-N  
 02/10/2021 House—Committee Report recommending bill be passed by Committee on Local Government—HJ 203  
 02/17/2021 House—Committee of the Whole - Be passed—HJ 235  
 02/18/2021 House—Final Action - Passed; Yea: 121 Nay: 1  
 02/18/2021 Senate—Received and Introduced—SJ 220  
 02/19/2021 Senate—Referred to Committee on Local Government—SJ 234  
 03/03/2021 Senate—Hearing: Thursday, March 11, 2021, 9:30 AM Room 142-S  
 03/17/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Local Government—SJ 368  
 03/23/2021 Senate—Committee of the Whole - Be passed as amended—SJ 393  
 03/24/2021 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0  
 03/30/2021 House—Concurred with amendments; Yea: 121 Nay: 2—HJ 632  
 04/06/2021 House—Enrolled and presented to Governor on Tuesday, April 6, 2021—HJ 666  
 05/03/2021 House—Approved by Governor on Thursday, April 15, 2021—HJ 1266
- H 2179** Bill by Health and Human Services  
**Providing for the licensure of dental therapists.**  
 01/28/2021 House—Introduced—HJ 136  
 01/29/2021 House—Referred to Committee on Health and Human Services—HJ 144
- H 2180** Bill by Energy, Utilities and Telecommunications  
**Requiring changes to electric rates for transmission costs to be approved through an electric utility's general rate case proceedings.**  
 01/28/2021 House—Introduced—HJ 142  
 01/29/2021 House—Referred to Committee on Energy, Utilities and Telecommunications—HJ 144  
 02/03/2021 House—Hearing: Thursday, February 11, 2021, 9:00 AM Room 582-N  
 02/12/2021 House—Hearing continuation: Tuesday, February 16, 2021, 9:00 AM Room 582-N

- H 2181** Bill by Energy, Utilities and Telecommunications  
**Requiring the state corporation commission to provide the legislature with an annual report of the electric rates of electric public utilities in the region.**  
 01/28/2021 House—Introduced—HJ 142  
 01/29/2021 House—Referred to Committee on Energy, Utilities and Telecommunications—HJ 144  
 02/03/2021 House—Hearing: Tuesday, February 9, 2021, 9:00 AM Room 582-N
- H 2182** Bill by Commerce, Labor and Economic Development  
**Establishing the Kansas promise scholarship act to provide scholarships for students who attend postsecondary educational programs that correspond to high-need career fields, authorizing payment of tuition for students who are dually or concurrently enrolled in high school and postsecondary school and requiring school districts to insure against injury or loss during work-based learning programs.**  
 01/28/2021 House—Introduced—HJ 142  
 01/29/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 144
- H 2183** Bill by Elections  
**Senate Substitute for HB 2183 by Committee on Federal and State Affairs - Creating the transparency in revenues underwriting elections act; prohibiting the receipt and expenditure of private moneys by election officials; directing the secretary of state to publish certain registered voter totals; relating to advance voting ballots by requiring signed statements for delivery of such ballots on behalf of a voter; limiting the number of such ballots that can be delivered; prohibiting the altering or backdating of the mailing date on such ballots; requiring a matching signature on such ballots; removing the secretary of state's authority to provide additional time for receipt of such ballots; prohibiting candidates for office from engaging in certain conduct related to advance voting ballots; creating the crime of false representation of an election official; and, expanding the crime of electioneering.**  
 01/28/2021 House—Introduced—HJ 142  
 01/29/2021 House—Referred to Committee on Elections—HJ 144  
 01/29/2021 House—Hearing: Tuesday, February 2, 2021, 3:30 PM Room 218-N  
 02/15/2021 House—Committee Report recommending bill be passed as amended by Committee on Elections  
 03/02/2021 House—Committee of the Whole - Be passed as amended—HJ 357  
 03/03/2021 House—Final Action - Passed as amended; Yea: 84 Nay: 39  
 03/04/2021 Senate—Received and Introduced—SJ 317  
 03/05/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 319  
 03/18/2021 Senate—Hearing: Wednesday, March 24, 2021, 10:30 AM Room 144-S  
 03/30/2021 Senate—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—SJ 527  
 03/31/2021 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 562  
 03/31/2021 Senate—Emergency Final Action - Substitute passed as amended; Yea: 28 Nay: 12  
 04/07/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Carpenter, B., Representative Bergquist and Representative Miller as conferees—HJ 658  
 04/07/2021 Senate—Motion to accede adopted; Senator Alley, Senator Hilderbrand and Senator Faust-Goudeau appointed as conferees—SJ 585

- 04/08/2021 Senate—Conference Committee Report agree to disagree adopted; Senator Alley, Senator Hilderbrand and Senator Faust-Goudeau appointed as second conferees—SJ 637
- 04/08/2021 House—Conference Committee Report agree to disagree adopted; Representative Carpenter, B., Representative Bergquist and Representative Miller appointed as second conferees—HJ 697
- 04/08/2021 Senate—Conference Committee Report was adopted; Yea: 27 Nay: 11
- 04/08/2021 House—Conference Committee Report was adopted; Yea: 80 Nay: 42—HJ 802
- 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278
- 05/03/2021 House—Vetoed by Governor; Returned to House on Friday, April 23, 2021—HJ 1258
- 05/03/2021 House—Motion to override veto prevailed; Yea: 85 Nay: 38—HJ 1270
- 05/03/2021 Senate—Motion to override veto prevailed; Yea: 28 Nay: 12—SJ 1103

**H 2184** Bill by Federal and State Affairs**Creating the Kansas medical marijuana regulation act.**

02/01/2021 House—Introduced—HJ 145

02/02/2021 House—Referred to Committee on Federal and State Affairs—HJ 157

02/17/2021 House—Hearing: (opponents) Thursday, February 25, 2021, 9:00 AM Room 346-S

02/17/2021 House—Hearing: (neutral) Thursday, February 25, 2021, 9:00 AM Room 346-S

02/17/2021 House—Hearing: (proponents) Wednesday, February 24, 2021, 9:00 AM Room 346-S

**H 2185** Bill by Taxation**Enacting the Kansas taxpayer protection act, requiring the signature and tax identification number of paid tax return preparers on income tax returns and authorizing actions to enjoin paid tax return preparers from engaging in certain conduct.**

02/01/2021 House—Introduced—HJ 145

02/02/2021 House—Referred to Committee on Taxation—HJ 157

**H 2186** Bill by Taxation**Allowing single sales factor apportionment of business income for certain taxpayers.**

02/01/2021 House—Introduced—HJ 145

02/02/2021 House—Referred to Committee on Taxation—HJ 157

02/10/2021 House—Hearing: Tuesday, February 16, 2021, 3:30 PM Room 346-S

**H 2187** Bill by Taxation**Enacting the first-time home buyer savings account act.**

02/01/2021 House—Introduced—HJ 145

02/02/2021 House—Referred to Committee on Financial Institutions and Rural Development—HJ 157

02/03/2021 House—Hearing: Monday, February 8, 2021, 9:00 AM Room 218-N

02/10/2021 House—Committee Report recommending bill be passed by Committee on Financial Institutions and Rural Development—HJ 203

02/17/2021 House—Committee of the Whole - Be passed—HJ 235

02/18/2021 House—Final Action - Passed; Yea: 119 Nay: 3

02/18/2021 Senate—Received and Introduced—SJ 220

02/19/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 234

03/11/2021 Senate—Hearing: Tuesday, March 16, 2021, 9:30 AM Room 546-S

03/18/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 380

05/04/2021 Senate—Committee of the Whole - Be passed as further amended—SJ 1109  
 05/04/2021 Senate—Emergency Final Action - Passed as amended; Yea: 35 Nay: 1—SJ 1118  
 05/05/2021 House—Concurred with amendments; Yea: 119 Nay: 2—HJ 1384  
 05/07/2021 House—Enrolled and presented to Governor on Friday, May 7, 2021—HJ 1543  
 05/26/2021 House—Approved by Governor on Monday, May 17, 2021

- H 2188** Bill by Appropriations  
**Requiring review by the joint committee on information technology of state agency contracts for certain information technology projects.**  
 02/01/2021 House—Introduced—HJ 145  
 02/02/2021 House—Referred to Committee on Appropriations—HJ 157  
 02/03/2021 House—Hearing: Thursday, February 11, 2021, 9:00 AM Room 112-N
- H 2189** Bill by Judiciary  
**Providing restrictions, lender reporting and other requirements for alternative small installment loans made under the UCCC.**  
 02/01/2021 House—Introduced—HJ 145  
 02/02/2021 House—Referred to Committee on Financial Institutions and Rural Development—HJ 157  
 02/17/2021 House—Hearing: Monday, February 22, 2021, 9:00 AM Room 218-N
- H 2190** Bill by Corrections and Juvenile Justice  
**Clarifying successive motions, new evidence and time limitations for habeas corpus claims.**  
 02/01/2021 House—Introduced—HJ 146  
 02/02/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 157  
 02/03/2021 House—Hearing: Monday, February 8, 2021, 1:30 PM Room 546-S
- H 2191** Bill by Corrections and Juvenile Justice  
**Increasing criminal penalties for the crimes of riot and incitement to riot when the crime occurs in a correctional facility.**  
 02/01/2021 House—Introduced—HJ 146  
 02/02/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 157  
 02/03/2021 House—Hearing: Thursday, February 11, 2021, 1:30 PM Room 546-S  
 02/18/2021 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 251  
 02/23/2021 House—Committee of the Whole - Be passed—HJ 275  
 02/24/2021 House—Final Action - Passed; Yea: 123 Nay: 0  
 02/24/2021 Senate—Received and Introduced—SJ 245  
 02/25/2021 Senate—Referred to Committee on Judiciary—SJ 247
- H 2192** Bill by Corrections and Juvenile Justice  
**Authorizing court services officers and community corrections officers to provide a certification of identification to offenders for use to obtain a new driver's license.**  
 02/01/2021 House—Introduced—HJ 146  
 02/02/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 157  
 02/03/2021 House—Hearing: Monday, February 8, 2021, 1:30 PM Room 546-S  
 02/22/2021 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 261  
 02/24/2021 House—Committee of the Whole - Be passed—HJ 283  
 02/25/2021 House—Final Action - Passed; Yea: 124 Nay: 0  
 02/25/2021 Senate—Received and Introduced—SJ 250  
 02/26/2021 Senate—Referred to Committee on Judiciary—SJ 252

03/19/2021 Senate—Hearing: Friday, March 26, 2021, 10:30 AM Room 346-S

- H 2193** Bill by Corrections and Juvenile Justice  
**Prohibiting an application fee for drivers' license reinstatements, removing additional suspension period when convicted of driving while suspended and limiting reinstatement fee to one per case.**  
 02/01/2021 House—Introduced—HJ 146  
 02/02/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 157  
 02/04/2021 House—Withdrawn from Committee on Corrections and Juvenile Justice; Referred to Committee on Transportation—HJ 171  
 02/08/2021 House—Hearing: Thursday, February 11, 2021, 1:30 PM Room 582-N  
 03/01/2021 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 328  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457
- H 2194** Bill by Representatives Finney, Ohaebosim  
**Providing for the alpha kappa alpha distinctive license plate.**  
 02/01/2021 House—Introduced—HJ 146  
 02/02/2021 House—Referred to Committee on Transportation—HJ 157  
 02/03/2021 House—Hearing: Tuesday, February 9, 2021, 1:30 PM Room 582-N
- H 2195** Bill by K-12 Education Budget  
**Holding reimbursing employers and other employers harmless for fraudulent unemployment insurance claims and reimbursing the unemployment insurance trust fund with moneys from the state general fund for improper benefits payments.**  
 02/01/2021 House—Introduced—HJ 154  
 02/02/2021 House—Referred to Committee on Appropriations—HJ 157  
 02/02/2021 House—Hearing: Thursday, February 4, 2021, 9:00 AM Room 112-N
- H 2196** Bill by Commerce, Labor and Economic Development  
**Senate Substitute for Substitute HB 2196 by Committee on Commerce - Changing provisions of the employment security law including creation of the unemployment compensation modernization and improvement council, development of a new unemployment insurance information technology system, provision of tax information to claimants, publication of trust fund data, the maximum benefit period, the charging of employer accounts for benefits paid, employer contribution rate determination and schedules, crediting of employer accounts for fraudulent or erroneous payments, transfer of federal COVID-19 moneys to the unemployment insurance trust fund, emergency expansion of the employment security board of review, providing for the my reemployment plan program and workforce training program availability to claimants, changes to the shared work compensation program and other unemployment trust fund provisions.**  
 02/01/2021 House—Introduced—HJ 155  
 02/02/2021 House—Hearing: Thursday, February 4, 2021, 1:30 PM Room 346-S  
 02/02/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 157  
 02/03/2021 House—Hearing: (proponents) Tuesday, February 9, 2021, 1:30 PM Room 346-S  
 02/03/2021 House—Hearing: (opponents) Wednesday, February 10, 2021, 1:30 PM Room 346-S  
 03/02/2021 House—Committee Report recommending substitute bill be passed by Committee on Commerce, Labor and Economic Development—HJ 359  
 03/03/2021 House—Committee of the Whole - Substitute bill be passed as amended—HJ

410

03/04/2021 House—Final Action - Substitute passed as amended; Yea: 87 Nay: 36  
 03/10/2021 Senate—Received and Introduced—SJ 323  
 03/11/2021 Senate—Referred to Committee on Commerce—SJ 326  
 03/12/2021 Senate—Hearing: (opponents) Tuesday, March 16, 2021, 10:30 AM Room 546-S  
 03/12/2021 Senate—Hearing: (proponents) Tuesday, March 16, 2021, 10:30 AM Room 546-S  
 03/12/2021 Senate—Hearing: (neutral) Wednesday, March 17, 2021, 10:30 AM Room 546-S  
 03/12/2021 Senate—Hearing: (opponents) Wednesday, March 17, 2021, 10:30 AM Room 546-S  
 03/29/2021 Senate—Committee Report recommending substitute bill be passed by Committee on Commerce—SJ 448  
 03/30/2021 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 482  
 03/31/2021 Senate—Final Action - Substitute passed as amended; Yea: 40 Nay: 0  
 04/06/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Tarwater, Representative Long and Representative Clayton as conferees—HJ 653  
 04/07/2021 Senate—Motion to accede adopted; Senator Olson, Senator Steffen and Senator Holland appointed as conferees—SJ 583  
 04/09/2021 Senate—Suspend 3(f) - Distribution of CCR copies—SJ 1048  
 04/09/2021 Senate—Suspend 3(f) - 30 minute Rule—SJ 1048  
 04/09/2021 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 0  
 04/09/2021 House—Conference Committee Report was adopted; Yea: 122 Nay: 0—HJ 1244  
 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278  
 05/03/2021 House—Approved by Governor on Monday, April 26, 2021—HJ 1266

- H 2197** Bill by Representatives T. Johnson, Neelly  
**Providing for abatement of property tax for certain buildings or improvements destroyed or substantially destroyed by natural disaster.**  
 02/02/2021 House—Introduced—HJ 156  
 02/03/2021 House—Referred to Committee on Taxation—HJ 161  
 02/10/2021 House—Hearing: Wednesday, February 17, 2021, 3:30 PM Room 346-S
- H 2198** Bill by Insurance and Pensions  
**Permitting local eligible employers to affiliate with KP&F with regard to coverage of certain local corrections employees.**  
 02/02/2021 House—Introduced—HJ 156  
 02/03/2021 House—Referred to Committee on Insurance and Pensions—HJ 161
- H 2199** Bill by Federal and State Affairs  
**Authorizing sports wagering under the Kansas expanded lottery act.**  
 02/02/2021 House—Introduced—HJ 156  
 02/03/2021 House—Referred to Committee on Federal and State Affairs—HJ 161  
 02/10/2021 House—Hearing: (opponents) Thursday, February 18, 2021, 9:00 AM Room 346-S  
 02/10/2021 House—Hearing: (proponents) Wednesday, February 17, 2021, 9:00 AM Room 346-S  
 02/10/2021 House—Hearing: (neutral) Thursday, February 18, 2021, 9:00 AM Room 346-S
- H 2200** Bill by Corrections and Juvenile Justice  
**Allowing evidence-based program account money to be used on certain children, requiring the department of corrections to build data systems and allowing for**

**overall case length limit extensions for certain juvenile offenders.**

02/02/2021 House—Introduced—HJ 156

02/03/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 161

**H 2201** Bill by Transportation**Senate Substitute for HB 2201 by Committee on Transportation - Decreasing the Eisenhower legacy transportation program alternate delivery project threshold, authorizing the usage of federal stimulus funds and KDOT bonding authority.**

02/02/2021 House—Introduced—HJ 156

02/03/2021 House—Referred to Committee on Transportation—HJ 161

02/10/2021 House—Hearing: Tuesday, February 16, 2021, 1:30 PM Room 582-N

02/22/2021 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 272

03/01/2021 House—Committee of the Whole - Be passed as amended—HJ 324

03/02/2021 House—Final Action - Passed as amended; Yea: 118 Nay: 6—HJ 342

03/02/2021 Senate—Received and Introduced—SJ 282

03/03/2021 Senate—Referred to Committee on Transportation—SJ 284

03/23/2021 Senate—Hearing: Thursday, March 25, 2021, 8:30 AM Room 546-S

03/25/2021 Senate—Committee Report recommending substitute bill be passed by Committee on Transportation—SJ 428

03/30/2021 Senate—Committee of the Whole - Substitute bill be passed—SJ 482

03/31/2021 Senate—Final Action - Substitute passed; Yea: 40 Nay: 0

04/06/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Proehl, Representative Delperdang and Representative Helgerson as conferees—HJ 653

04/07/2021 Senate—Motion to accede adopted; Senator Petersen, Senator Claeys and Senator Hawk appointed as conferees—SJ 583

04/08/2021 House—Concurred with amendments in conference; Yea: 95 Nay: 27—HJ 776

05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278

05/03/2021 House—Approved by Governor on Wednesday, April 21, 2021—HJ 1266

**H 2202** Bill by Representative Gartner**Enacting the Kansas death with dignity act.**

02/02/2021 House—Introduced—HJ 156

02/03/2021 House—Referred to Committee on Health and Human Services—HJ 161

**H 2203** Bill by Appropriations**Establishing the asbestos remediation fund for fees collected as part of the Kansas asbestos control program.**

02/02/2021 House—Introduced—HJ 156

02/03/2021 House—Referred to Committee on Appropriations—HJ 161

02/10/2021 House—Withdrawn from Committee on Appropriations; Referred to Committee on Agriculture and Natural Resources Budget—HJ 192

02/17/2021 House—Hearing: Wednesday, February 24, 2021, 1:30 PM Room 118-N

02/25/2021 House—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources Budget—HJ 302

03/01/2021 House—Committee of the Whole - Be passed—HJ 323

03/02/2021 House—Final Action - Passed; Yea: 122 Nay: 2—HJ 342

03/02/2021 Senate—Received and Introduced—SJ 282

03/03/2021 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 283

03/19/2021 Senate—Hearing: Tuesday, March 23, 2021, 8:30 AM Room 144-S

03/24/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—SJ 406

03/29/2021 Senate—Committee of the Whole - Be passed as amended—SJ 440  
 03/30/2021 Senate—Final Action - Passed as amended; Yea: 39 Nay: 1  
 04/08/2021 House—Concurred with amendments; Yea: 121 Nay: 1—HJ 797  
 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278  
 05/03/2021 House—Approved by Governor on Wednesday, April 21, 2021—HJ 1266

**H 2204** Bill by Agriculture  
**Prohibiting the use of identifiable meat terms on labels of meat analogs without either an accompanying disclaimer that the product does not contain meat or the inclusion of the word "imitation" before the name of the meat food product being imitated.**

02/02/2021 House—Introduced—HJ 157  
 02/03/2021 House—Referred to Committee on Agriculture—HJ 161

**H 2205** Bill by Energy, Utilities and Telecommunications  
**Authorizing publication of legal notices by a city, county, school district or other board or entity on a designated official website.**

02/02/2021 House—Introduced—HJ 157  
 02/03/2021 House—Referred to Committee on Local Government—HJ 161

**H 2206** Bill by Health and Human Services  
**Updating certain definitions, referral to specialty services and coordination of care provisions in the Kansas telemedicine act.**

02/03/2021 House—Introduced—HJ 159  
 02/04/2021 House—Referred to Committee on Health and Human Services—HJ 171  
 02/08/2021 House—Hearing: Tuesday, February 9, 2021, 1:30 PM Room 112-N  
 02/09/2021 House—Hearing: (neutral) Tuesday, February 9, 2021, 1:30 PM Room 112-N  
 02/09/2021 House—Hearing: (proponents) Tuesday, February 9, 2021, 1:30 PM Room 112-N  
 03/05/2021 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on Appropriations—HJ 456

**H 2207** Bill by Health and Human Services  
**Prohibiting certain licensed individuals from using conversion therapy on minors.**

02/03/2021 House—Introduced—HJ 159  
 02/04/2021 House—Referred to Committee on Health and Human Services—HJ 171

**H 2208** Bill by Health and Human Services  
**Senate Substitute for HB 2208 by Committee on Public Health and Welfare - Establishing certification and funding for certified community behavioral health clinics, enacting the rural emergency hospital act to provide for the licensure of rural emergency hospitals, authorizing telemedicine waivers for out-of-state healthcare providers, reducing certain requirements for licensure by the behavioral sciences regulatory board and expanding out-of-state temporary permits to practice behavioral sciences professions.**

02/03/2021 House—Introduced—HJ 159  
 02/04/2021 House—Referred to Committee on Health and Human Services—HJ 171  
 02/08/2021 House—Hearing: Thursday, February 11, 2021, 1:30 PM Room 112-N  
 02/22/2021 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 261  
 03/02/2021 House—Committee of the Whole - Be passed as amended—HJ 359  
 03/03/2021 House—Final Action - Passed as amended; Yea: 124 Nay: 0  
 03/04/2021 Senate—Received and Introduced—SJ 317

- 03/05/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 319  
 03/10/2021 Senate—Hearing: Friday, March 19, 2021, 8:30 AM Room 142-S  
 03/22/2021 Senate—Committee Report recommending substitute bill be passed by  
 Committee on Public Health and Welfare—SJ 387  
 03/30/2021 Senate—Committee of the Whole - Substitute bill be passed—SJ 482  
 03/31/2021 Senate—Final Action - Substitute passed; Yea: 38 Nay: 2  
 04/06/2021 House—Nonconcurrent with amendments; Conference Committee requested;  
 appointed Representative Landwehr, Representative Eplee and Representative Parker as  
 conferees—HJ 653  
 04/07/2021 Senate—Motion to accede adopted; Senator Hilderbrand, Senator Gossage and  
 Senator Pettey appointed as conferees—SJ 583  
 04/09/2021 Senate—Conference Committee Report was adopted; Yea: 34 Nay: 4—SJ 1086  
 04/09/2021 House—Conference Committee Report was adopted; Yea: 120 Nay: 2—HJ 1239  
 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278  
 05/03/2021 House—Approved by Governor on Thursday, April 22, 2021—HJ 1266
- H 2209** Bill by Health and Human Services  
**Enacting the psychology interjurisdictional compact to provide for interjurisdictional  
 authorization to practice telepsychology and temporary in-person, face-to-face  
 psychology.**  
 02/03/2021 House—Introduced—HJ 159  
 02/04/2021 House—Referred to Committee on Health and Human Services—HJ 171  
 02/05/2021 House—Hearing: Thursday, February 11, 2021, 1:30 PM Room 112-N  
 02/24/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Health and Human Services—HJ 288  
 03/02/2021 House—Committee of the Whole - Be passed as amended—HJ 359  
 03/03/2021 House—Final Action - Passed as amended; Yea: 121 Nay: 3  
 03/04/2021 Senate—Received and Introduced—SJ 317  
 03/05/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 319  
 03/17/2021 Senate—Hearing: Wednesday, March 24, 2021, 8:30 AM Room 142-S  
 03/29/2021 Senate—Committee Report recommending bill be passed as amended by  
 Committee on Public Health and Welfare—SJ 450  
 04/07/2021 Senate—Withdrawn from Calendar; Referred to Committee on Federal and State  
 Affairs—SJ 581
- H 2210** Bill by Representatives Fairchild, Garber, Helmer, Rhiley  
**Making it a crime for a doctor to perform gender reassignment surgery or hormone  
 replacement therapy on minors.**  
 02/03/2021 House—Introduced—HJ 159  
 02/04/2021 House—Referred to Committee on Health and Human Services—HJ 171
- H 2211** Bill by Representative Rhiley  
**Requiring law enforcement officers to impound the vehicles of individuals unable to  
 provide proof of financial security under certain circumstances.**  
 02/03/2021 House—Introduced—HJ 159  
 02/04/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 171
- H 2212** Bill by Federal and State Affairs  
**Eliminating Kansas residency requirements for various liquor licenses.**  
 02/03/2021 House—Introduced—HJ 159  
 02/04/2021 House—Referred to Committee on Federal and State Affairs—HJ 171  
 02/15/2021 House—Hearing: Friday, February 19, 2021, 9:00 AM Room 346-S  
 02/22/2021 House—Committee Report recommending bill be passed by Committee on

Federal and State Affairs—HJ 261

03/01/2021 House—Committee of the Whole - Be passed—HJ 323

03/02/2021 House—Final Action - Passed; Yea: 122 Nay: 2—HJ 343

03/02/2021 Senate—Received and Introduced—SJ 282

03/03/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 283

03/11/2021 Senate—Hearing: Monday, March 15, 2021, 10:30 AM Room 144-S

**H 2213** Bill by Local Government

**Requiring that purchases of property and construction of buildings by townships are subject to protest petition and election procedure.**

02/03/2021 House—Introduced—HJ 159

02/04/2021 House—Referred to Committee on Local Government—HJ 171

02/10/2021 House—Hearing: Wednesday, February 17, 2021, 9:00 AM Room 281-N

02/24/2021 House—Committee Report recommending bill be passed by Committee on Local Government—HJ 290

03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2214** Bill by Representative Concannon

**Authorizing the secretary of administration on behalf of the department of corrections to convey land in Mitchell county to the city of Beloit.**

02/03/2021 House—Introduced—HJ 159

02/04/2021 House—Referred to Committee on Appropriations—HJ 171

02/10/2021 House—Hearing: Tuesday, February 16, 2021, 9:00 AM Room 112-N

02/24/2021 House—Committee Report recommending bill be passed by Committee on Appropriations—HJ 284

03/01/2021 House—Committee of the Whole - Be passed—HJ 323

03/02/2021 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 343

03/02/2021 Senate—Received and Introduced—SJ 282

03/03/2021 Senate—Referred to Committee on Ways and Means—SJ 284

03/17/2021 Senate—Hearing: Monday, March 22, 2021, 10:30 AM Room 548-S

03/23/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Ways and Means—SJ 395

03/29/2021 Senate—Consent Calendar Passed Yea: 38 Nay: 1—SJ 439

04/06/2021 House—Enrolled and presented to Governor on Friday, April 2, 2021—HJ 656

04/09/2021 House—Approved by Governor on Friday, April 9, 2021—HJ 1220

**H 2215** Bill by Corrections and Juvenile Justice

**Allowing persons with felony drug convictions to receive benefits under the supplemental nutrition assistance program.**

02/03/2021 House—Introduced—HJ 160

02/04/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 171

**H 2216** Bill by Transportation

**Establishing maximum towing rates and standard procedures for wrecker and towing services.**

02/03/2021 House—Introduced—HJ 160

02/04/2021 House—Referred to Committee on Transportation—HJ 171

**H 2217** Bill by Transportation

**Excluding the additional 90-day wait period and providing for the elimination and delay of payment for certain fees for restricted driving privileges.**

02/03/2021 House—Introduced—HJ 160

02/04/2021 House—Referred to Committee on Transportation—HJ 171

- H 2218** Bill by Representative Bergquist  
**Updating the membership and responsibilities of the Kansas state employees health care commission and requiring the commission to make certain reports and recommendations to the legislature.**  
 02/03/2021 House—Introduced—HJ 160  
 02/04/2021 House—Referred to Committee on Insurance and Pensions—HJ 171  
 02/22/2021 House—Hearing: Wednesday, February 24, 2021, 3:30 PM Room 218-N  
 02/25/2021 House—Committee Report recommending bill be passed by Committee on Insurance and Pensions—HJ 306  
 03/03/2021 House—Committee of the Whole - Be passed—HJ 374  
 03/04/2021 House—Final Action - Passed; Yea: 123 Nay: 0  
 03/05/2021 Senate—Received and Introduced—SJ 320  
 03/10/2021 Senate—Referred to Committee on Ways and Means—SJ 323  
 03/18/2021 Senate—Hearing: Monday, March 22, 2021, 10:30 AM Room 548-S  
 03/25/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 430  
 03/29/2021 Senate—Committee of the Whole - Be passed as amended—SJ 440  
 03/30/2021 Senate—Final Action - Passed as amended; Yea: 37 Nay: 2  
 04/06/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative S. Johnson, Representative Croft and Representative Neighbor as conferees—HJ 651  
 04/06/2021 Senate—Motion to accede adopted; Senator Billinger, Senator Claeys and Senator Hawk appointed as conferees—SJ 576  
 04/07/2021 Senate—Senator McGinn and Senator Kerschen are appointed to replace Senator Billinger and Senator Claeys on the Conference Committee—SJ 583  
 04/09/2021 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 4—SJ 1047  
 04/09/2021 House—Conference Committee Report was adopted; Yea: 123 Nay: 0—HJ 908  
 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278  
 05/03/2021 House—Approved by Governor on Friday, April 23, 2021—HJ 1266
- H 2219** Bill by Commerce, Labor and Economic Development  
**Enacting the Kansas targeted employment act to provide tax credits for the employment of persons with developmental disabilities.**  
 02/03/2021 House—Introduced—HJ 160  
 02/04/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 171  
 02/10/2021 House—Hearing: Tuesday, February 16, 2021, 1:30 PM Room 346-S  
 03/05/2021 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Appropriations—HJ 456  
 03/10/2021 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Commerce, Labor and Economic Development—HJ 458  
 03/12/2021 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 466  
 03/15/2021 House—Committee of the Whole - Be passed—HJ 468  
 03/16/2021 House—Final Action - Passed; Yea: 123 Nay: 1  
 03/16/2021 Senate—Received and Introduced—SJ 334  
 03/17/2021 Senate—Referred to Committee on Commerce—SJ 362
- H 2220** Bill by Commerce, Labor and Economic Development  
**Providing an employment preference for persons with a disability for state government positions.**  
 02/03/2021 House—Introduced—HJ 160

02/04/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 171

- H 2221** Bill by Commerce, Labor and Economic Development  
**Amending STAR bonds law by adding rural redevelopment projects and major business facilities, increasing certain project investment and sales requirements, adding a return on investment analysis and other requirements and approvals by the secretary and extending the sunset date.**

02/03/2021 House—Introduced—HJ 160

02/04/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 171

- H 2222** Bill by Representative Ousley  
**Requiring the Kansas bureau of investigation to establish a Kansas voluntary do-not-sell firearms list to prevent the purchase of firearms by any person who voluntarily registers to be placed on the list.**

02/03/2021 House—Introduced—HJ 160

02/04/2021 House—Referred to Committee on Federal and State Affairs—HJ 171

- H 2223** Bill by Judiciary  
**Amending the crimes of criminal sodomy and sexual battery to make certain conduct unlawful when the victim's consent was obtained through a knowing misrepresentation.**

02/03/2021 House—Introduced—HJ 160

02/04/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 171

- H 2224** Bill by Federal and State Affairs  
**Expanding the definition of "infectious disease" in certain statutes related to crimes in which bodily fluids may have been transmitted from one person to another.**

02/03/2021 House—Introduced—HJ 167

02/04/2021 House—Referred to Committee on Federal and State Affairs—HJ 171

02/04/2021 House—Hearing: Thursday, February 11, 2021, 9:00 AM Room 346-S

02/19/2021 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 257

03/03/2021 House—Committee of the Whole - Be passed as amended—HJ 374

03/04/2021 House—Final Action - Passed as amended; Yea: 117 Nay: 6

03/10/2021 Senate—Received and Introduced—SJ 323

03/11/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 326

03/17/2021 Senate—Hearing: Thursday, March 25, 2021, 8:30 AM Room 142-S

03/25/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 428

04/07/2021 Senate—Committee of the Whole - Be passed as amended—SJ 585

04/08/2021 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 617

04/08/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Landwehr, Representative Eplee and Representative Parker as conferees—HJ 797

04/08/2021 Senate—Motion to accede adopted; Senator Hilderbrand, Senator Gossage and Senator Petthey appointed as conferees—SJ 695

05/07/2021 House—Concurred with amendments in conference; Yea: 112 Nay: 7—HJ 1465

05/26/2021 House—Enrolled and presented to Governor on Friday, May 14, 2021—HJ 1550

05/26/2021 House—Approved by Governor on Friday, May 21, 2021—HJ 1545

- H 2225** Bill by Taxation

**Requiring marketplace facilitators to collect and remit sales and compensating use tax and providing nexus for certain retailers that make sales in Kansas.**

02/03/2021 House—Introduced—HJ 167

02/04/2021 House—Referred to Committee on Taxation—HJ 171

**H 2226** Bill by Judiciary**Requiring certain criminal convictions to be expunged from an offender's record automatically.**

02/03/2021 House—Introduced—HJ 167

02/04/2021 House—Referred to Committee on Judiciary—HJ 171

02/05/2021 House—Hearing: Monday, February 8, 2021, 3:30 PM Room 582-N

**H 2227** Bill by Judiciary**Allowing the chief justice to suspend certain time limitations during a state of local disaster emergency, suspend certain verification requirements and authorize use of electronic audio-visual communication to expeditiously resolve cases, and extending the chief justice's authority to suspend time limitations during a disaster emergency until June 30, 2022.**

02/03/2021 House—Introduced—HJ 167

02/04/2021 House—Referred to Committee on Judiciary—HJ 171

02/05/2021 House—Hearing: Tuesday, February 9, 2021, 3:30 PM Room 582-N

02/24/2021 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 289

03/03/2021 House—Committee of the Whole - Be passed as amended—HJ 374

03/04/2021 House—Final Action - Passed as amended; Yea: 113 Nay: 10—HJ 440

03/10/2021 Senate—Received and Introduced—SJ 323

03/11/2021 Senate—Referred to Committee on Judiciary—SJ 326

03/16/2021 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 358

03/17/2021 Senate—Committee of the Whole - Be passed—SJ 364

03/17/2021 Senate—Emergency Final Action - Passed; Yea: 34 Nay: 5

03/23/2021 House—Enrolled and presented to Governor on Tuesday, March 23, 2021—HJ 531

03/29/2021 House—Approved by Governor on Friday, March 26, 2021—HJ 595

**H 2228** Bill by Judiciary**Requiring law enforcement agencies to adopt a policy regarding submission of sexual assault evidence kits and allowing evidence collection at child advocacy centers or other facilities.**

02/03/2021 House—Introduced—HJ 167

02/04/2021 House—Referred to Committee on Judiciary—HJ 171

02/10/2021 House—Hearing: Monday, February 15, 2021, 3:30 PM Room 582-N

02/24/2021 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 289

03/02/2021 House—Committee of the Whole - Be passed as amended—HJ 359

03/03/2021 House—Final Action - Passed as amended; Yea: 124 Nay: 0

03/04/2021 Senate—Received and Introduced—SJ 317

03/05/2021 Senate—Referred to Committee on Judiciary—SJ 319

03/18/2021 Senate—Hearing: Friday, March 26, 2021, 10:30 AM Room 346-S

**H 2229** Bill by Judiciary**Increasing the criminal penalties for multiple thefts of mail.**

02/03/2021 House—Introduced—HJ 167

- 02/04/2021 House—Referred to Committee on Judiciary—HJ 171  
 02/05/2021 House—Hearing: Tuesday, February 9, 2021, 3:30 PM Room 582-N  
 02/22/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Judiciary—HJ 264  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457
- H 2230** Bill by Taxation  
**Imposing sales tax on digital property and subscription services.**  
 02/03/2021 House—Introduced—HJ 167  
 02/04/2021 House—Referred to Committee on Taxation—HJ 171  
 02/10/2021 House—Hearing: Thursday, February 18, 2021, 3:30 PM Room 346-S
- H 2231** Bill by Commerce, Labor and Economic Development  
**Amending the definition of the crime of conducting a pyramid promotional scheme,  
 providing for an exemption and defining key terms.**  
 02/03/2021 House—Introduced—HJ 167  
 02/04/2021 House—Referred to Committee on Commerce, Labor and Economic  
 Development—HJ 171  
 02/10/2021 House—Hearing: Monday, February 15, 2021, 1:30 PM Room 346-S  
 02/25/2021 House—Committee Report recommending bill be passed by Committee on  
 Commerce, Labor and Economic Development—HJ 303  
 03/04/2021 House—Committee of the Whole - Be passed—HJ 445  
 03/04/2021 House—Emergency Final Action - Passed; Yea: 78 Nay: 45  
 03/05/2021 Senate—Received and Introduced—SJ 320  
 03/10/2021 Senate—Referred to Committee on Judiciary—SJ 323
- H 2232** Bill by Local Government  
**Limiting the maximum number of signatures required for certain municipal petitions  
 for proposed ordinances and extending the effective period of such ordinances and  
 providing for narrow construction of certain administrative ordinances.**  
 02/03/2021 House—Introduced—HJ 168  
 02/04/2021 House—Referred to Committee on Local Government—HJ 171
- H 2233** Bill by Local Government  
**Enacting the municipal historic building act.**  
 02/03/2021 House—Introduced—HJ 168  
 02/04/2021 House—Referred to Committee on Local Government—HJ 171  
 02/18/2021 House—Hearing: Wednesday, February 24, 2021, 9:00 AM Room 281-N
- H 2234** Bill by Health and Human Services  
**Requiring medical directors of emergency medical services to provide medical  
 oversight of such services and emergency medical service providers.**  
 02/04/2021 House—Introduced—HJ 170  
 02/05/2021 House—Referred to Committee on Health and Human Services—HJ 174  
 02/17/2021 House—Hearing: Monday, February 22, 2021, 1:30 PM Room 112-N  
 02/22/2021 House—Hearing: (proponents) Monday, February 22, 2021, 1:30 PM Room 112-  
 N  
 02/24/2021 House—Committee Report recommending bill be passed by Committee on  
 Health and Human Services—HJ 288  
 03/02/2021 House—Committee of the Whole - Be passed—HJ 357  
 03/03/2021 House—Final Action - Passed;  
 03/03/2021 Senate—Received and Introduced—SJ 306  
 03/05/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 319

03/16/2021 Senate—Hearing: Thursday, March 18, 2021, 8:30 AM Room 142-S  
 03/18/2021 Senate—Committee Report recommending bill be passed as amended by  
 Committee on Public Health and Welfare—SJ 380

- H 2235** Bill by Representative Coleman  
**Requiring lobbyists to wear body cameras while in the statehouse, making such recordings public records and prohibiting any economic benefit or hospitality provided by a lobbyist to a legislator or candidates for the legislature.**

02/04/2021 House—Introduced—HJ 170

02/05/2021 House—Referred to Committee on Elections—HJ 174

- H 2236** Bill by Financial Institutions and Rural Development  
**Authorizing exclusion of the sales comparison approach in mortgage financing appraisals of certain unique residential real property in rural counties.**

02/04/2021 House—Introduced—HJ 170

02/05/2021 House—Referred to Committee on Financial Institutions and Rural Development—HJ 174

02/15/2021 House—Hearing: Wednesday, February 17, 2021, 9:00 AM Room 218-N

03/05/2021 House—Withdrawn from Committee on Financial Institutions and Rural Development; Referred to Committee on Appropriations—HJ 456

03/10/2021 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Financial Institutions and Rural Development—HJ 458

03/15/2021 House—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Rural Development—HJ 469

03/17/2021 House—Committee of the Whole - Be passed as amended—HJ 498

03/18/2021 House—Final Action - Passed as amended; Yea: 122 Nay: 0

03/18/2021 Senate—Received and Introduced—SJ 374

03/19/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 382

- H 2237** Bill by Financial Institutions and Rural Development  
**Extending the eligible time period for the rural opportunity zone loan repayment program and income tax credit.**

02/04/2021 House—Introduced—HJ 170

02/05/2021 House—Referred to Committee on Financial Institutions and Rural Development—HJ 174

02/10/2021 House—Hearing: Monday, February 15, 2021, 9:00 AM Room 218-N

02/17/2021 House—Committee Report recommending bill be passed by Committee on Financial Institutions and Rural Development—HJ 236

02/23/2021 House—Committee of the Whole - Be passed—HJ 276

02/24/2021 House—Final Action - Passed; Yea: 107 Nay: 16

02/24/2021 Senate—Received and Introduced—SJ 245

02/25/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 247

03/10/2021 Senate—Hearing: Tuesday, March 16, 2021, 9:30 AM Room 548-S

03/24/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 406

- H 2238** Bill by Representative Collins  
**Eliminating the dollar limitation for acceptance of gifts by donors to school districts or cities, or both, for library purposes.**

02/04/2021 House—Introduced—HJ 170

02/05/2021 House—Referred to Committee on Local Government—HJ 174

02/10/2021 House—Hearing: Wednesday, February 17, 2021, 9:00 AM Room 281-N

02/24/2021 House—Committee Report recommending bill be passed by Committee on

## Local Government—HJ 290

- 03/01/2021 House—Committee of the Whole - Be passed—HJ 323  
 03/02/2021 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 344  
 03/02/2021 Senate—Received and Introduced—SJ 282  
 03/03/2021 Senate—Referred to Committee on Local Government—SJ 283  
 03/10/2021 Senate—Hearing: Tuesday, March 16, 2021, 9:30 AM Room 142-S  
 03/25/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Local Government—SJ 428  
 03/30/2021 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 475  
 04/06/2021 House—Enrolled and presented to Governor on Tuesday, April 6, 2021—HJ 666  
 05/03/2021 House—Approved by Governor on Thursday, April 15, 2021—HJ 1266

**H 2239** Bill by Taxation

**Senate Substitute for HB 2239 by Committee on Assessment and Taxation -  
 Establishing the golden years homestead property tax freeze act to provide a  
 refund for certain increases in residential property taxes and extending the Kansas  
 corporate income tax net operating loss carryforward.**

- 02/04/2021 House—Introduced—HJ 170  
 02/05/2021 House—Referred to Committee on Taxation—HJ 174  
 02/11/2021 House—Hearing: Wednesday, February 17, 2021, 3:30 PM Room 346-S  
 02/25/2021 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 312  
 03/04/2021 House—Committee of the Whole - Be passed as amended—HJ 445  
 03/04/2021 House—Emergency Final Action - Passed as amended; Yea: 123 Nay: 0  
 03/10/2021 Senate—Received and Introduced—SJ 323  
 03/11/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 326  
 03/18/2021 Senate—Hearing: Monday, March 22, 2021, 9:30 AM Room 548-S  
 03/26/2021 Senate—Committee Report recommending substitute bill be passed by Committee on Assessment and Taxation—SJ 434

**H 2240** Bill by K-12 Education Budget

**Excluding U.S.D. No. 207, Fort Leavenworth, from the capital improvement state aid  
 schedule.**

- 02/04/2021 House—Introduced—HJ 170  
 02/05/2021 House—Referred to Committee on K-12 Education Budget—HJ 174

**H 2241** Bill by Insurance and Pensions

**Requiring certain insurance coverage for diagnostic examinations for breast cancer.**

- 02/04/2021 House—Introduced—HJ 170  
 02/05/2021 House—Referred to Committee on Insurance and Pensions—HJ 174

**H 2242** Bill by Insurance and Pensions

**Increasing the percentage amount the state fire marshal may levy on fire insurance  
 company premiums caused by fire business being transacted in Kansas.**

- 02/04/2021 House—Introduced—HJ 171  
 02/05/2021 House—Referred to Committee on Insurance and Pensions—HJ 174  
 02/10/2021 House—Hearing: Wednesday, February 17, 2021, 3:30 PM Room 218-N

**H 2243** Bill by Insurance and Pensions

**Adjusting the frequency of the KPERS actuarial experience study, providing a  
 moratorium on KPERS death and long-term disability employer contributions,  
 allowing the extension of certain DROP periods and conforming certain KPERS  
 provisions with the federal CARES act.**

02/04/2021 House—Introduced—HJ 171  
 02/05/2021 House—Referred to Committee on Insurance and Pensions—HJ 174  
 02/05/2021 House—Hearing: Monday, February 8, 2021, 3:30 PM Room 218-N  
 02/18/2021 House—Committee Report recommending bill be passed by Committee on Insurance and Pensions—HJ 254  
 02/24/2021 House—Committee of the Whole - Be passed—HJ 283  
 02/25/2021 House—Final Action - Passed;  
 02/25/2021 Senate—Received and Introduced—SJ 250  
 02/26/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 252  
 03/10/2021 Senate—Hearing: Thursday, March 11, 2021, 9:30 AM Room 546-S  
 03/18/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 380  
 03/24/2021 Senate—Committee of the Whole - Be passed as amended—SJ 400  
 03/25/2021 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0  
 03/30/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative S. Johnson, Representative Croft and Representative Neighbor as conferees—HJ 629  
 03/30/2021 Senate—Motion to accede adopted; Senator Longbine, Senator Fagg and Senator Pittman appointed as conferees—SJ 474  
 04/08/2021 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 0—SJ 622  
 04/08/2021 House—Conference Committee Report was adopted; Yea: 122 Nay: 0—HJ 778  
 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278  
 05/03/2021 House—Approved by Governor on Wednesday, April 21, 2021—HJ 1266

**H 2244** Bill by Agriculture**Establishing requirements for the effective disposal of industrial hemp and requiring industrial hemp processors to register with the state fire marshal.**

02/04/2021 House—Introduced—HJ 171  
 02/05/2021 House—Referred to Committee on Agriculture—HJ 174  
 02/05/2021 House—Hearing: Thursday, February 11, 2021, 3:30 PM Room 112-N  
 02/10/2021 House—Hearing: Tuesday, February 16, 2021, 3:30 PM Room 112-N  
 02/18/2021 House—Committee Report recommending bill be passed as amended by Committee on Agriculture—HJ 251  
 02/25/2021 House—Committee of the Whole - Be passed as amended—HJ 298  
 02/25/2021 House—Emergency Final Action - Passed as amended; Yea: 97 Nay: 27  
 02/26/2021 Senate—Received and Introduced—SJ 252  
 03/01/2021 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 257  
 03/15/2021 Senate—Hearing: Wednesday, March 17, 2021, 8:30 AM Room 144-S  
 03/17/2021 Senate—Hearing continuation: Thursday, March 18, 2021, 8:30 AM Room 144-S  
 03/25/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—SJ 422  
 03/30/2021 Senate—Committee of the Whole - Be passed as further amended—SJ 481  
 03/31/2021 Senate—Final Action - Passed as amended; Yea: 35 Nay: 4  
 04/07/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Rahjes, Representative Smith, E. and Representative Carlin as conferees—HJ 663  
 04/07/2021 Senate—Motion to accede adopted; Senator Kerschen, Senator Straub and Senator Ware appointed as conferees—SJ 613  
 04/08/2021 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 3—SJ 694  
 04/08/2021 House—Conference Committee Report was adopted; Yea: 101 Nay: 22—HJ 801  
 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278

05/03/2021 House—Approved by Governor on Wednesday, April 21, 2021—HJ 1266

- H 2245** Bill by Transportation  
**Permitting the division of vehicles to collect emergency contact information for registration purposes and permitting law enforcement agencies to use such information in the case of an emergency.**  
 02/05/2021 House—Introduced—HJ 173  
 02/08/2021 House—Referred to Committee on Transportation—HJ 178  
 02/18/2021 House—Hearing: Wednesday, February 24, 2021, 1:30 PM Room 582-N  
 03/01/2021 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 328  
 03/03/2021 House—Committee of the Whole - Be passed—HJ 374  
 03/04/2021 House—Final Action - Passed; Yea: 123 Nay: 0  
 03/05/2021 Senate—Received and Introduced—SJ 320  
 03/10/2021 Senate—Referred to Committee on Transportation—SJ 323  
 03/17/2021 Senate—Hearing: Wednesday, March 24, 2021, 8:30 AM Room 546-S  
 03/30/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 547  
 03/31/2021 Senate—Committee of the Whole - Be passed as amended—SJ 561  
 03/31/2021 Senate—Emergency Final Action - Passed as amended; Yea: 40 Nay: 0  
 04/07/2021 House—Concurred with amendments; Yea: 122 Nay: 0—HJ 660  
 04/09/2021 House—Enrolled and presented to Governor on Friday, April 9, 2021—HJ 1253  
 05/03/2021 House—Approved by Governor on Friday, April 16, 2021—HJ 1266

- H 2246** Bill by Transportation  
**Excluding air bags from the definition of cost of repairs for salvage vehicles.**  
 02/05/2021 House—Introduced—HJ 173  
 02/08/2021 House—Referred to Committee on Transportation—HJ 178

- H 2247** Bill by Transportation  
**Designating a portion of K-67 highway as the COII Trenton J Brinkman memorial highway, designating bridges on U.S. highway 54 as the Max Zimmerman memorial bridge and the Jack Taylor memorial bridge, designating a bridge on U.S. highway 77 as the PFC Loren H Larson bridge, designating a bridge on U.S. highway 166 as the Tyler A Juden memorial bridge, designating a portion of U.S. highway 69 as the Senator Dennis Wilson memorial highway, designating a portion of K-7 as the Senator Bud Burke memorial highway and designating a portion of U.S. highway 77 as the CPL Allen E Oatney and SP4 Gene A Myers memorial highway.**  
 02/05/2021 House—Introduced—HJ 173  
 02/08/2021 House—Referred to Committee on Transportation—HJ 178  
 02/10/2021 House—Hearing: Tuesday, February 16, 2021, 1:30 PM Room 582-N  
 02/24/2021 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 290  
 03/01/2021 House—Committee of the Whole - Be passed as amended—HJ 325  
 03/02/2021 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 344  
 03/02/2021 Senate—Received and Introduced—SJ 282  
 03/03/2021 Senate—Referred to Committee on Transportation—SJ 284  
 03/17/2021 Senate—Hearing: Tuesday, March 23, 2021, 8:30 AM Room 546-S  
 03/25/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 428  
 03/30/2021 Senate—Committee of the Whole - Be passed as amended—SJ 481  
 03/31/2021 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0

04/07/2021 House—Concurred with amendments; Yea: 122 Nay: 0—HJ 659  
 04/09/2021 House—Enrolled and presented to Governor on Friday, April 9, 2021—HJ 1253  
 05/03/2021 House—Approved by Governor on Friday, April 16, 2021—HJ 1266

**H 2248** Bill by Appropriations

**Increasing state financial assistance to local health departments under specified circumstances.**

02/05/2021 House—Introduced—HJ 173  
 02/08/2021 House—Referred to Committee on Appropriations—HJ 178  
 02/10/2021 House—Withdrawn from Committee on Appropriations; Referred to Committee on Social Services Budget—HJ 192  
 02/16/2021 House—Hearing: Wednesday, February 24, 2021, 3:30 PM Room 152-S  
 02/26/2021 House—Committee Report recommending bill be passed by Committee on Social Services Budget—HJ 320  
 03/16/2021 House—Committee of the Whole - Be passed—HJ 473  
 03/17/2021 House—Final Action - Passed; Yea: 111 Nay: 12  
 03/17/2021 Senate—Received and Introduced—SJ 363  
 03/18/2021 Senate—Referred to Committee on Ways and Means—SJ 373  
 03/22/2021 Senate—Hearing: Wednesday, March 24, 2021, 10:30 AM Room 548-S  
 03/29/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 470

**H 2249** Bill by Appropriations

**Setting the protected income level for persons receiving home and community-based services at 150% of federal supplemental security income.**

02/05/2021 House—Introduced—HJ 173  
 02/08/2021 House—Referred to Committee on Appropriations—HJ 178  
 02/10/2021 House—Withdrawn from Committee on Appropriations; Referred to Committee on Social Services Budget—HJ 192  
 02/16/2021 House—Hearing: Tuesday, February 23, 2021, 3:30 PM Room 152-S

**H 2250** Bill by Appropriations

**Expanding newborn screening services and increasing transfers of moneys to the Kansas newborn screening fund.**

02/05/2021 House—Introduced—HJ 173  
 02/08/2021 House—Referred to Committee on Appropriations—HJ 178  
 02/10/2021 House—Withdrawn from Committee on Appropriations; Referred to Committee on Social Services Budget—HJ 192  
 02/11/2021 House—Hearing: Thursday, February 18, 2021, 3:30 PM Room 152-S  
 02/25/2021 House—Committee Report recommending bill be passed by Committee on Social Services Budget—HJ 312

**H 2251** Bill by Federal and State Affairs

**Requiring relinquishment of firearms pursuant to certain court orders related to domestic violence.**

02/05/2021 House—Introduced—HJ 173  
 02/08/2021 House—Referred to Committee on Federal and State Affairs—HJ 178  
 03/22/2021 House—Hearing: Friday, March 26, 2021, 9:00 AM Room 346-S

**H 2252** Bill by Federal and State Affairs

**Senate Substitute for HB 2252 by Committee on Federal and State Affairs - Authorizing the issuance of fulfillment house licenses, drinking establishment licenses to manufacturers under certain conditions and the transfer and receipt of bulk**

**alcoholic liquor and cereal malt beverage for certain purposes, requiring electronic submission of gallage taxes by special order shipping licensees and eliminating the Kansas grown product requirements for farm wineries and microbreweries and the Kansas residency requirement for all licensees.**

- 02/05/2021 House—Introduced—HJ 174  
 02/08/2021 House—Referred to Committee on Federal and State Affairs—HJ 178  
 02/10/2021 House—Hearing: Tuesday, February 16, 2021, 9:00 AM Room 346-S - CANCELED  
 02/15/2021 House—Hearing: Friday, February 19, 2021, 9:00 AM Room 346-S  
 02/23/2021 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 277  
 03/01/2021 House—Committee of the Whole - Be passed as amended—HJ 324  
 03/02/2021 House—Final Action - Passed as amended; Yea: 122 Nay: 2—HJ 345  
 03/02/2021 Senate—Received and Introduced—SJ 282  
 03/03/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 283  
 03/03/2021 Senate—Hearing: Wednesday, March 10, 2021, 10:30 AM Room 144-S  
 03/18/2021 Senate—Committee Report recommending substitute bill be passed by Committee on Federal and State Affairs—SJ 376  
 03/24/2021 Senate—Committee of the Whole - Substitute bill be passed—SJ 405  
 03/25/2021 Senate—Final Action - Substitute passed; Yea: 30 Nay: 8  
 03/30/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Barker, Representative Arnberger and Representative Ruiz, L. as conferees—HJ 629  
 03/30/2021 Senate—Motion to accede adopted; Senator Alley, Senator Hilderbrand and Senator Faust-Goudeau appointed as conferees—SJ 474

**H 2253** Bill by Appropriations  
**Updating certain provisions of the prescription monitoring program act relating to program data, storage and access, increasing the membership of the advisory committee and providing for setup and annual maintenance fees for program data integration.**

- 02/05/2021 House—Introduced—HJ 174  
 02/08/2021 House—Referred to Committee on Appropriations—HJ 178

**H 2254** Bill by Health and Human Services  
**Increasing the monetary cap on irrevocable prearranged funeral agreements to \$10,000.**

- 02/08/2021 House—Introduced—HJ 175  
 02/09/2021 House—Referred to Committee on Health and Human Services—HJ 186  
 02/15/2021 House—Hearing: Tuesday, February 16, 2021, 1:30 PM Room 112-N  
 02/17/2021 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 236  
 02/23/2021 House—Committee of the Whole - Be passed as amended—HJ 276  
 02/24/2021 House—Final Action - Passed as amended; Yea: 123 Nay: 0  
 02/24/2021 Senate—Received and Introduced—SJ 245  
 02/25/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 247  
 03/02/2021 Senate—Hearing: Wednesday, March 10, 2021, 8:30 AM Room 142-S  
 03/16/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 358  
 03/25/2021 Senate—Committee of the Whole - Be passed as amended—SJ 416  
 03/25/2021 Senate—Emergency Final Action - Passed as amended; Yea: 38 Nay: 2  
 03/30/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Landwehr, Representative Eplee and Representative Parker as

conferees—HJ 629

03/30/2021 Senate—Motion to accede adopted; Senator Hilderbrand, Senator Gossage and Senator Pettey appointed as conferees—SJ 474

04/08/2021 House—Concurred with amendments in conference; Yea: 122 Nay: 1—HJ 798

05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1254

05/03/2021 House—Approved by Governor on Wednesday, April 21, 2021—HJ 1266

**H 2255** Bill by Health and Human Services

**Enacting the sexual assault survivor information act to require certain entities to provide information to sexual assault survivors.**

02/08/2021 House—Introduced—HJ 175

02/09/2021 House—Referred to Committee on Health and Human Services—HJ 186

**H 2256** Bill by Health and Human Services

**Updating scope of practice requirements for advanced practice registered nurses without a supervising physician, imposing requirements therefor and updating certain licensure requirements.**

02/08/2021 House—Introduced—HJ 175

02/09/2021 House—Referred to Committee on Health and Human Services—HJ 186

02/10/2021 House—Hearing: Wednesday, February 17, 2021, 1:30 PM Room 112-N

**H 2257** Bill by Health and Human Services

**Permitting physicians to decide based on their medical judgment whether to provide patients with certain information.**

02/08/2021 House—Introduced—HJ 175

02/09/2021 House—Referred to Committee on Health and Human Services—HJ 186

**H 2258** Bill by Health and Human Services

**Enacting the right to family planning act to require contraceptives to be available at pharmacies.**

02/08/2021 House—Introduced—HJ 175

02/09/2021 House—Referred to Committee on Health and Human Services—HJ 186

**H 2259** Bill by Health and Human Services

**Permitting the use of expedited partner therapy to treat a sexually transmitted disease.**

02/08/2021 House—Introduced—HJ 175

02/09/2021 House—Referred to Committee on Health and Human Services—HJ 186

02/17/2021 House—Hearing: Monday, February 22, 2021, 1:30 PM Room 112-N

02/22/2021 House—Hearing: (proponents) Monday, February 22, 2021, 1:30 PM Room 112-N

02/24/2021 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 288

03/01/2021 House—Committee of the Whole - Be passed as amended—HJ 325

03/02/2021 House—Final Action - Passed as amended; Yea: 75 Nay: 49—HJ 345

03/02/2021 Senate—Received and Introduced—SJ 282

03/03/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 283

**H 2260** Bill by Health and Human Services

**Prohibiting disparate treatment by pharmacy benefits managers of certain pharmacies and pharmaceutical services providers.**

02/08/2021 House—Introduced—HJ 175

02/09/2021 House—Referred to Committee on Health and Human Services—HJ 186

**H 2261** Bill by Health and Human Services

**Enacting the rural emergency hospital act to provide for the licensure of rural emergency hospitals.**

02/08/2021 House—Introduced—HJ 175  
 02/09/2021 House—Referred to Committee on Health and Human Services—HJ 186  
 02/10/2021 House—Hearing: Tuesday, February 16, 2021, 1:30 PM Room 112-N  
 02/17/2021 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 236  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2262** Bill by Health and Human Services  
**Senate Substitute for HB 2262 by Committee on Public Health and Welfare - Updating schedules I, II, IV and V of the uniform controlled substances act.**

02/08/2021 House—Introduced—HJ 176  
 02/09/2021 House—Referred to Committee on Health and Human Services—HJ 186  
 02/15/2021 House—Hearing: Tuesday, February 16, 2021, 1:30 PM Room 112-N  
 02/17/2021 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 236  
 02/23/2021 House—Committee of the Whole - Be passed as amended—HJ 276  
 02/24/2021 House—Final Action - Passed as amended; Yea: 122 Nay: 1  
 02/24/2021 Senate—Received and Introduced—SJ 245  
 02/25/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 247  
 03/02/2021 Senate—Hearing: Wednesday, March 10, 2021, 8:30 AM Room 142-S  
 03/30/2021 Senate—Committee Report recommending substitute bill be passed by Committee on Public Health and Welfare—SJ 546

**H 2263** Bill by Transportation  
**Approving the operation and use of electric-assisted bicycles and regulating the use thereof.**

02/08/2021 House—Introduced—HJ 176  
 02/09/2021 House—Referred to Committee on Transportation—HJ 186  
 02/12/2021 House—Hearing: Wednesday, February 17, 2021, 1:30 PM Room 582-N  
 02/25/2021 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 312  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2264** Bill by Judiciary  
**Permitting student athletes at postsecondary educational institutions to receive compensation for the use of their name, image, likeness rights or athletic reputation.**

02/08/2021 House—Introduced—HJ 176  
 02/09/2021 House—Referred to Committee on Judiciary—HJ 186  
 02/10/2021 House—Hearing: Thursday, February 18, 2021, 3:30 PM Room 582-N  
 02/25/2021 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 307  
 03/01/2021 House—Committee of the Whole - Be passed—HJ 323  
 03/02/2021 House—Final Action - Passed; Yea: 95 Nay: 29—HJ 347  
 03/02/2021 Senate—Received and Introduced—SJ 282  
 03/03/2021 Senate—Referred to Committee on Judiciary—SJ 283  
 03/05/2021 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Federal and State Affairs—SJ 319  
 03/11/2021 Senate—Hearing: Thursday, March 18, 2021, 10:30 AM Room 144-S  
 05/03/2021 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 1105

- H 2265** Bill by Representatives Woodard, Hoheisel  
**Providing a sales tax exemption for required textbooks and authorizing a local sales tax on required textbooks.**  
 02/08/2021 House—Introduced—HJ 176  
 02/09/2021 House—Referred to Committee on Taxation—HJ 186  
 02/17/2021 House—Hearing: Monday, February 22, 2021, 3:30 PM Room 346-S
- H 2266** Bill by Representative Bishop  
**Allowing an individual to itemize deductions in Kansas despite not itemizing on their federal return.**  
 02/08/2021 House—Introduced—HJ 176  
 02/09/2021 House—Referred to Committee on Taxation—HJ 186
- H 2267** Bill by Representatives Parker, Anderson, Arnberger, Haswood, Samsel, Vaughn, Woodard, Xu  
**Creating the Kansas youth advisory council.**  
 02/08/2021 House—Introduced—HJ 176  
 02/09/2021 House—Referred to Committee on Federal and State Affairs—HJ 186
- H 2268** Bill by Financial Institutions and Rural Development  
**Enacting the Kansas rural home loan guarantee act and authorizing the state treasurer to guarantee a certain portion of rural home loans made by financial institutions and report to the legislature regarding such loan guarantees.**  
 02/08/2021 House—Introduced—HJ 176  
 02/09/2021 House—Referred to Committee on Financial Institutions and Rural Development—HJ 186  
 02/10/2021 House—Hearing: Wednesday, February 17, 2021, 9:00 AM Room 218-N
- H 2269** Bill by K-12 Education Budget  
**Amending the definition of an at-risk student in the Kansas school equity and enhancement act to require at-risk funding to be determined based on a poverty metric for certain students and proficiency metric for other students.**  
 02/08/2021 House—Introduced—HJ 176  
 02/09/2021 House—Referred to Committee on K-12 Education Budget—HJ 186
- H 2270** Bill by Transportation and Public Safety Budget  
**Modifying the distribution of the levy on fire insurance business premiums to the state fire marshal fee fund, the emergency medical services operating fund and the fire service training program fund.**  
 02/08/2021 House—Introduced—HJ 176  
 02/09/2021 House—Referred to Committee on Transportation and Public Safety Budget—HJ 186  
 02/10/2021 House—Hearing: Wednesday, February 17, 2021, 3:30 PM Room 118-N  
 02/24/2021 House—Committee Report recommending bill be passed by Committee on Transportation and Public Safety Budget—HJ 290  
 03/01/2021 House—Committee of the Whole - Be passed—HJ 323  
 03/02/2021 House—Final Action - Passed; Yea: 123 Nay: 1—HJ 348  
 03/02/2021 Senate—Received and Introduced—SJ 282  
 03/03/2021 Senate—Referred to Committee on Ways and Means—SJ 284  
 03/10/2021 Senate—Hearing: Monday, March 15, 2021, 10:30 AM Room 548-S  
 03/16/2021 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 360  
 03/23/2021 Senate—Committee of the Whole - Be passed—SJ 393

03/24/2021 Senate—Final Action - Passed; Yea: 40 Nay: 0  
 03/29/2021 House—Enrolled and presented to Governor on Monday, March 29, 2021—HJ 616  
 04/06/2021 House—Approved by Governor on Monday, April 5, 2021—HJ 652

- H 2271** Bill by Representative Thomas  
**Permitting the court to exercise jurisdiction over children in need of care and adult children in need of care to extend or re-enter custody of the secretary for children and families until 21 years of age.**  
 02/09/2021 House—Introduced—HJ 181  
 02/10/2021 House—Referred to Committee on Children and Seniors—HJ 191  
 02/16/2021 House—Hearing: Tuesday, February 23, 2021, 1:30 PM Room 152-S
- H 2272** Bill by Taxation  
**Delaying distribution of certain property taxes paid under protest and requiring certain information on protested or exempt property taxes to be provided to local taxing jurisdictions.**  
 02/09/2021 House—Introduced—HJ 181  
 02/10/2021 House—Referred to Committee on Taxation—HJ 192  
 02/17/2021 House—Hearing: Tuesday, February 23, 2021, 3:30 PM Room 346-S  
 03/22/2021 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 518
- H 2273** Bill by Taxation  
**Providing a sales tax exemption for active aging publishing, inc.**  
 02/09/2021 House—Introduced—HJ 181  
 02/10/2021 House—Referred to Committee on Taxation—HJ 192
- H 2274** Bill by Corrections and Juvenile Justice  
**Increasing the criminal penalty for buying sexual relations and removing provisions related to how prior convictions are counted.**  
 02/09/2021 House—Introduced—HJ 181  
 02/10/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 191  
 02/11/2021 House—Hearing: Wednesday, February 17, 2021, 1:30 PM Room 546-S  
 02/17/2021 House—Hearing: Wednesday, February 24, 2021, 1:30 PM Room 546-S
- H 2275** Bill by Corrections and Juvenile Justice  
**Requiring the department of corrections to develop guidance to be used by parole officers when responding to violations of parole and postrelease supervision and that incentivize compliant behavior.**  
 02/09/2021 House—Introduced—HJ 181  
 02/10/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 191  
 02/11/2021 House—Hearing: Thursday, February 18, 2021, 1:30 PM Room 546-S  
 02/24/2021 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Corrections and Juvenile Justice—HJ 284  
 03/02/2021 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 338  
 03/02/2021 Senate—Received and Introduced—SJ 282  
 03/03/2021 Senate—Referred to Committee on Judiciary—SJ 283
- H 2276** Bill by Corrections and Juvenile Justice  
**Removing opposite sex requirement for unlawful voluntary sexual relations.**  
 02/09/2021 House—Introduced—HJ 181  
 02/10/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 191

- H 2277** Bill by Corrections and Juvenile Justice  
**Clarifying the definition of possession in the Kansas criminal code.**  
 02/09/2021 House—Introduced—HJ 181  
 02/10/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 191  
 02/11/2021 House—Hearing: Thursday, February 18, 2021, 1:30 PM Room 546-S  
 02/24/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Corrections and Juvenile Justice—HJ 284  
 02/25/2021 House—Committee of the Whole - Be passed as amended—HJ 298  
 02/25/2021 House—Emergency Final Action - Passed as amended;  
 02/26/2021 Senate—Received and Introduced—SJ 252  
 03/01/2021 Senate—Referred to Committee on Judiciary—SJ 257
- H 2278** Bill by Representative Poskin  
**Providing for the publication of signed statements of fair campaign practices and a  
 cause of action and penalties for violations of such statement.**  
 02/09/2021 House—Introduced—HJ 182  
 02/10/2021 House—Referred to Committee on Elections—HJ 191
- H 2279** Bill by Health and Human Services  
**Enacting the physical therapy licensure compact and authorizing criminal history  
 record checks.**  
 02/09/2021 House—Introduced—HJ 182  
 02/10/2021 House—Referred to Committee on Health and Human Services—HJ 191  
 02/17/2021 House—Hearing: Tuesday, February 23, 2021, 1:30 PM Room 112-N  
 02/24/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Health and Human Services—HJ 288  
 03/02/2021 House—Committee of the Whole - Be passed as amended—HJ 359  
 03/03/2021 House—Final Action - Passed as amended;  
 03/05/2021 Senate—Received and Introduced—SJ 320  
 03/10/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 323  
 03/17/2021 Senate—Hearing: Wednesday, March 24, 2021, 8:30 AM Room 142-S  
 03/25/2021 Senate—Committee Report recommending bill be passed as amended by  
 Committee on Public Health and Welfare—SJ 428
- H 2280** Bill by Health and Human Services  
**Updating statutes relating to the powers, duties and functions of the state board of  
 pharmacy.**  
 02/09/2021 House—Introduced—HJ 182  
 02/10/2021 House—Referred to Committee on Health and Human Services—HJ 191  
 02/12/2021 House—Hearing: Thursday, February 18, 2021, 1:30 PM Room 112-N  
 02/26/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Health and Human Services—HJ 318  
 03/02/2021 House—Committee of the Whole - Be passed as amended—HJ 359  
 03/03/2021 House—Final Action - Passed as amended; Yea: 116 Nay: 8  
 03/05/2021 Senate—Received and Introduced—SJ 320  
 03/10/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 323  
 03/17/2021 Senate—Hearing: Friday, March 26, 2021, 8:30 AM Room 142-S  
 03/30/2021 Senate—Committee Report recommending bill be passed as amended by  
 Committee on Public Health and Welfare—SJ 546
- H 2281** Bill by Health and Human Services  
**Establishing and implementing 988 as the suicide prevention and mental health crisis  
 hotline in Kansas.**

- 02/09/2021 House—Introduced—HJ 182  
 02/10/2021 House—Referred to Committee on Health and Human Services—HJ 191  
 02/17/2021 House—Hearing: Monday, February 22, 2021, 1:30 PM Room 112-N  
 02/22/2021 House—Hearing: (proponents) Monday, February 22, 2021, 1:30 PM Room 112-N  
 02/22/2021 House—Hearing: (neutral) Monday, February 22, 2021, 1:30 PM Room 112-N  
 02/26/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Health and Human Services—HJ 318  
 03/05/2021 House—Withdrawn from Calendar; Referred to Committee on Appropriations—  
 HJ 456
- H 2282** Bill by Financial Institutions and Rural Development  
**Allowing the state treasurer to enter into agreements with eligible applicants to guarantee agricultural loans up to 80% and creating a committee to review and approve applications for such guaranteed loans.**  
 02/09/2021 House—Introduced—HJ 182  
 02/10/2021 House—Referred to Committee on Financial Institutions and Rural Development—HJ 191  
 02/10/2021 House—Hearing: Wednesday, February 17, 2021, 9:00 AM Room 218-N
- H 2283** Bill by Children and Seniors  
**Concerning state benefit requirements and limitations for the temporary assistance for needy families program.**  
 02/09/2021 House—Introduced—HJ 182  
 02/10/2021 House—Referred to Committee on Children and Seniors—HJ 191
- H 2284** Bill by Agriculture  
**Reducing certain camp site and cabin fees at Kansas state parks by 50% for senior citizens.**  
 02/09/2021 House—Introduced—HJ 182  
 02/10/2021 House—Referred to Committee on Agriculture—HJ 191
- H 2285** Bill by Representative Garber  
**Creating the campus free speech act to require each public postsecondary educational institution to adopt a policy of free expression.**  
 02/09/2021 House—Introduced—HJ 182  
 02/10/2021 House—Referred to Committee on Judiciary—HJ 192
- H 2286** Bill by Representative Garber  
**Creating the campus intellectual diversity act to establish an office of public policy events at each public postsecondary educational institution.**  
 02/09/2021 House—Introduced—HJ 182  
 02/10/2021 House—Referred to Committee on Appropriations—HJ 191
- H 2287** Bill by K-12 Education Budget  
**Senate Substitute for HB 2287 by Committee on Education - Creating the Kansas promise scholarship act to provide postsecondary educational scholarship for certain two-year associate degree programs, career and technical education certificates and other stand-alone programs.**  
 02/09/2021 House—Introduced—HJ 183  
 02/10/2021 House—Referred to Committee on K-12 Education Budget—HJ 192  
 02/10/2021 House—Withdrawn from Committee on K-12 Education Budget; Referred to Committee on Commerce, Labor and Economic Development—HJ 192  
 02/11/2021 House—Hearing: Wednesday, February 17, 2021, 1:30 PM Room 346-S

- 03/05/2021 House—Withdrawn from Committee on Commerce, Labor and Economic Development; Referred to Committee on Appropriations—HJ 456
- 03/10/2021 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Commerce, Labor and Economic Development—HJ 458
- 03/12/2021 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 466
- 03/15/2021 House—Committee of the Whole - Be passed—HJ 468
- 03/16/2021 House—Final Action - Passed; Yea: 115 Nay: 9
- 03/16/2021 Senate—Received and Introduced—SJ 334
- 03/17/2021 Senate—Hearing: Tuesday, March 23, 2021, 1:30 PM Room 144-S
- 03/17/2021 Senate—Referred to Committee on Education—SJ 362
- 03/25/2021 Senate—Committee Report recommending substitute bill be passed by Committee on Education—SJ 425
- H 2288** Bill by Representative Coleman  
**Decriminalizing the possession of drugs, reducing the criminal penalty for distributing or manufacturing drugs, referring those found in possession of a controlled substance to drug abuse treatment and creating the crime of failure to comply with drug abuse treatment.**  
 02/09/2021 House—Introduced—HJ 183  
 02/10/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 191
- H 2289** Bill by Representative Miller  
**Authorizing the issuance of \$1,000,000,000 of pension obligation bonds to finance a portion of the unfunded actuarial liability of KPERS and utilizing the net investment returns on such bonds to provide annual retirant dividend payments to certain retirants.**  
 02/09/2021 House—Introduced—HJ 183  
 02/10/2021 House—Referred to Committee on Insurance and Pensions—HJ 192
- H 2290** Bill by Representative Coleman  
**Requiring the secretary of health and environment to assess carbon content fees upon certain fuel sales and the secretary of the department of revenue to distribute carbon content dividend payments to Kansans.**  
 02/09/2021 House—Introduced—HJ 183  
 02/10/2021 House—Referred to Committee on Energy, Utilities and Telecommunications—HJ 191
- H 2291** Bill by Representative Collins  
**Applying the net metering and easy connection act to electric cooperatives and municipal utilities, increasing compensation to customer-generators, authorizing larger renewable energy systems and increasing the total net metered facility cap.**  
 02/09/2021 House—Introduced—HJ 183  
 02/10/2021 House—Referred to Committee on Energy, Utilities and Telecommunications—HJ 191
- H 2292** Bill by Judiciary  
**Creating exemptions in the open records act for cyber security assessments, plans and vulnerabilities.**  
 02/09/2021 House—Introduced—HJ 183  
 02/10/2021 House—Referred to Committee on Judiciary—HJ 192  
 02/10/2021 House—Hearing: Wednesday, February 17, 2021, 3:30 PM Room 582-N  
 02/24/2021 House—Committee Report recommending bill be passed and placed on Consent

Calendar by Committee on Judiciary—HJ 289

03/02/2021 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 338

03/02/2021 Senate—Received and Introduced—SJ 282

03/03/2021 Senate—Referred to Committee on Judiciary—SJ 283

03/19/2021 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Transparency and Ethics—SJ 382

03/22/2021 Senate—Hearing: Tuesday, March 23, 2021, 10:00 AM Room 142-S

**H 2293** Bill by Commerce, Labor and Economic Development

**Creating the taxpayer empowerment, accountability and transparency in state contracting act; relating to private service contracts; requiring the department of administration to create a database of private service contract information and to analyze the potential impacts of such contracts; requiring contracting state agencies to obtain the resources needed to monitor the performance of private service contracts before finalizing such contracts.**

02/09/2021 House—Introduced—HJ 183

02/10/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 191

**H 2294** Bill by Transportation

**Requiring any individual or agency selling an abandoned or towed vehicle to acquire a certificate of title from the division of vehicles before the sale.**

02/09/2021 House—Introduced—HJ 183

02/10/2021 House—Referred to Committee on Transportation—HJ 192

**H 2295** Bill by Transportation

**Exempting municipal motor grader vehicle operators from Kansas uniform commercial drivers' license act requirements.**

02/09/2021 House—Introduced—HJ 184

02/10/2021 House—Referred to Committee on Transportation—HJ 192

02/10/2021 House—Hearing: Wednesday, February 17, 2021, 1:30 PM Room 582-N

03/01/2021 House—Committee Report recommending bill be passed by Committee on Transportation—HJ 328

03/03/2021 House—Committee of the Whole - Be passed—HJ 374

03/04/2021 House—Final Action - Passed; Yea: 122 Nay: 1

03/05/2021 Senate—Received and Introduced—SJ 320

03/10/2021 Senate—Referred to Committee on Transportation—SJ 323

03/17/2021 Senate—Hearing: Wednesday, March 24, 2021, 8:30 AM Room 546-S

03/25/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—SJ 429

03/30/2021 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 476

04/06/2021 House—Enrolled and presented to Governor on Tuesday, April 6, 2021—HJ 666

05/03/2021 House—Approved by Governor on Thursday, April 15, 2021—HJ 1266

**H 2296** Bill by Transportation

**Permitting the secretary of transportation to contract with the Kansas turnpike authority to enforce toll payments and permitting the secretary of transportation to use tolls to support public transit and other improvements on a toll project.**

02/09/2021 House—Introduced—HJ 184

02/10/2021 House—Referred to Committee on Transportation—HJ 192

02/12/2021 House—Hearing: Tuesday, February 16, 2021, 1:30 PM Room 582-N

02/22/2021 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 273

- 03/01/2021 House—Committee of the Whole - Motion to recommend favorably for passage failed—HJ 325  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457
- H 2297** Bill by Commerce, Labor and Economic Development  
**Concerning requirements of publication of certain documents by the secretary of state; relating to session laws, the Kansas register, proposed amendments to the constitution of the state of Kansas, and Kansas administrative rules and regulations and guidance documents.**  
 02/09/2021 House—Introduced—HJ 184  
 02/10/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 191  
 02/17/2021 House—Hearing: Friday, February 19, 2021, 1:30 PM Room 346-S  
 02/25/2021 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 303  
 03/01/2021 House—Committee of the Whole - Be passed—HJ 323  
 03/02/2021 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 348  
 03/02/2021 Senate—Received and Introduced—SJ 282  
 03/03/2021 Senate—Referred to Committee on Transparency and Ethics—SJ 284  
 03/10/2021 Senate—Hearing: Wednesday, March 17, 2021, 9:30 AM Room 142-S
- H 2298** Bill by Commerce, Labor and Economic Development  
**Changing requirements for service of process on nonresident drivers and clarifying service of process on certain business entities.**  
 02/09/2021 House—Introduced—HJ 184  
 02/10/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 191  
 02/17/2021 House—Hearing: Friday, February 19, 2021, 1:30 PM Room 346-S  
 02/25/2021 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 303  
 03/01/2021 House—Committee of the Whole - Be passed—HJ 323  
 03/02/2021 House—Final Action - Passed; Yea: 120 Nay: 4—HJ 349  
 03/02/2021 Senate—Received and Introduced—SJ 282  
 03/03/2021 Senate—Referred to Committee on Judiciary—SJ 283  
 03/17/2021 Senate—Hearing: Thursday, March 18, 2021, 10:30 AM Room 346-S  
 03/18/2021 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 380  
 03/24/2021 Senate—Committee of the Whole - Be passed—SJ 400  
 03/25/2021 Senate—Final Action - Passed; Yea: 37 Nay: 3  
 04/06/2021 House—Enrolled and presented to Governor on Friday, April 2, 2021—HJ 656  
 04/09/2021 House—Approved by Governor on Friday, April 9, 2021—HJ 1220
- H 2299** Bill by Judiciary  
**Allowing a search warrant to be executed within 10 days from the date of issuance.**  
 02/09/2021 House—Introduced—HJ 184  
 02/10/2021 House—Referred to Committee on Judiciary—HJ 192  
 02/10/2021 House—Hearing: Monday, February 15, 2021, 3:30 PM Room 582-N
- H 2300** Bill by Representatives Schreiber, Amyx, Baker, Bishop, Carlin, Carlson, Clark, Concannon, Curtis, Day, Eplee, Featherston, Gartner, Haswood, Highberger, Houser, Hoye, Kuether, Long, Neighbor, Newland, Ohaebosim, Ousley, Parker, Poskin, Sawyer, Smith, A., Sutton, Vaughn, Wasinger, Winn, Wolfe Moore, Woodard, Xu  
**Abolishing the death penalty and creating the crime of aggravated murder.**

02/09/2021 House—Introduced—HJ 184

02/10/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 191

**H 2301** Bill by Education

**Requiring accredited high schools to provide a course of instruction in personal financial literacy.**

02/09/2021 House—Introduced—HJ 187

02/10/2021 House—Referred to Committee on Education—HJ 191

02/17/2021 House—Hearing: Tuesday, February 23, 2021, 1:30 PM Room 218-N

03/05/2021 House—Withdrawn from Committee on Education; Referred to Committee on Appropriations—HJ 456

03/10/2021 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Education—HJ 458

03/25/2021 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 562

**H 2302** Bill by Education

**Requiring school districts to provide copies of certain tests, questionnaires, surveys or examinations prior to receiving consent to administer such test, questionnaire, survey or examination.**

02/09/2021 House—Introduced—HJ 187

02/10/2021 House—Hearing: Wednesday, February 17, 2021, 1:30 PM Room 218-N

02/10/2021 House—Referred to Committee on Education—HJ 191

02/18/2021 House—Committee Report recommending bill be passed by Committee on Education—HJ 254

03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2303** Bill by Representative Toplikar

**Adjusting the credit and income amounts for the income tax credit for purchases of food in this state.**

02/10/2021 House—Introduced—HJ 188

02/11/2021 House—Referred to Committee on Taxation—HJ 212

**H 2304** Bill by Representative Toplikar

**Increasing income tax credit for expenditures to make a principal dwelling accessible to persons with a disability.**

02/10/2021 House—Introduced—HJ 188

02/11/2021 House—Referred to Committee on Taxation—HJ 212

**H 2305** Bill by Representatives Curtis, Henderson, Ruiz, L., Wolfe Moore

**Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.**

02/10/2021 House—Introduced—HJ 189

02/11/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 212

**H 2306** Bill by Representatives Curtis, Burroughs, Henderson, Ruiz, L., Winn, Wolfe Moore

**Restoring local control over certain compensation, wage and benefit requirements for construction projects.**

02/10/2021 House—Introduced—HJ 189

02/11/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 212

**H 2307** Bill by Judiciary

**Expanding the definition of compensable personal injury in workers compensation law to include mental injuries suffered from physical injury, emotional shock or after a series of work-related events.**

02/10/2021 House—Introduced—HJ 189

02/11/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 212

**H 2308** Bill by Judiciary

**Allowing investigations of child deaths by coroner before performing an autopsy.**

02/10/2021 House—Introduced—HJ 189

02/11/2021 House—Referred to Committee on Judiciary—HJ 212

**H 2309** Bill by Representative Xu

**Requiring manufacturers of electronics-enabled equipment used in agriculture, animal husbandry and ranching to make available to farmers, ranchers and independent repair providers, on fair and reasonable terms, the documentation, parts and tools used to diagnose, maintain and repair such equipment.**

02/10/2021 House—Introduced—HJ 189

02/11/2021 House—Referred to Committee on Agriculture—HJ 212

**H 2310** Bill by Representative Xu

**Creating the Kansas healthy soils fund and the Kansas healthy soils initiative for the purpose of promoting healthy soils practices in the state of Kansas.**

02/10/2021 House—Introduced—HJ 189

02/11/2021 House—Referred to Committee on Agriculture—HJ 212

**H 2311** Bill by Representative Clayton

**Extending workers compensation permanent disability benefits for the lifetime of the injured worker.**

02/10/2021 House—Introduced—HJ 189

02/11/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 212

**H 2312** Bill by Representative Clayton

**Permitting injured workers to choose a healthcare provider for care under workers compensation law.**

02/10/2021 House—Introduced—HJ 189

02/11/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 212

**H 2313** Bill by Veterans and Military

**Senate Substitute for HB 2313 by Committee on Assessment and Taxation - Providing for reimbursement of property taxes for certain business shutdowns or restrictions, allowing Kansas national guard and reservist members who are in good standing to receive a property tax exemption for up to two motor vehicles, authorizing continuation of the statewide levy for schools and the exemption of a portion of residential property from such levy, authorizing appointment by the governor of a member pro tempore when a vacancy on the state board of tax appeals exists and directing post audit study of the impact of non-profit and governmental entities competing against for-profit businesses.**

02/10/2021 House—Introduced—HJ 189

02/11/2021 House—Referred to Committee on Taxation—HJ 212

02/17/2021 House—Hearing: Wednesday, February 24, 2021, 3:30 PM Room 346-S

03/01/2021 House—Committee Report recommending bill be passed and placed on Consent

Calendar by Committee on Taxation—HJ 327

- 03/04/2021 House—Final Action - Passed; Yea: 123 Nay: 0  
 03/05/2021 Senate—Received and Introduced—SJ 320  
 03/10/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 323  
 03/10/2021 Senate—Hearing: Wednesday, March 17, 2021, 9:30 AM Room 548-S  
 05/03/2021 Senate—Committee Report recommending substitute bill be passed by  
 Committee on Assessment and Taxation—SJ 1105  
 05/04/2021 Senate—Senator Sykes motioned to divide the question into two parts.—SJ 1109  
 05/04/2021 Senate—Part One retained. Yea: 35 Nay: 0—SJ 1109  
 05/04/2021 Senate—Part Two retained.—SJ 1109  
 05/04/2021 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ  
 1115  
 05/04/2021 Senate—Emergency Final Action - Substitute passed as amended; Yea: 33 Nay: 6  
 —SJ 1119  
 05/06/2021 House—Nonconcurrent with amendments; Conference Committee requested;  
 appointed Representative Smith, A., Representative Mason and Representative Gartner  
 as conferees—HJ 1387  
 05/06/2021 Senate—Motion to accede adopted; Senator Tyson, Senator Alley and Senator  
 Holland appointed as conferees—SJ 1258  
 05/07/2021 Senate—Conference Committee Report not adopted; Yea: 11 Nay: 27  
 05/07/2021 Senate—Motion to reconsider adopted.  
 05/07/2021 Senate—Conference Committee Report not adopted; Senator Claeys, Senator  
 Alley and Senator Corson appointed as second conferees  
 05/07/2021 House—Motion to accede adopted; Representative Smith, A., Representative  
 Mason and Representative Gartner appointed as second conferees—HJ 1529  
 05/07/2021 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 0  
 05/07/2021 House—Motion to suspend rule 1502 adopted;—HJ 1541  
 05/07/2021 House—Conference Committee Report was adopted; Yea: 108 Nay: 3—HJ 1541  
 05/26/2021 House—Enrolled and presented to Governor on Friday, May 14, 2021—HJ 1550  
 05/26/2021 House—Approved by Governor on Monday, May 24, 2021—HJ 1545

**H 2314** Bill by Taxation

**Increasing the sales tax collection threshold for certain retailers and the required time  
 frame for payment of tax and then discontinuing the pre-payment of such tax.**

- 02/10/2021 House—Introduced—HJ 189  
 02/11/2021 House—Referred to Committee on Taxation—HJ 212

**H 2315** Bill by Taxation

**Providing a tax credit for contributions to technical colleges.**

- 02/10/2021 House—Introduced—HJ 189  
 02/11/2021 House—Referred to Committee on Taxation—HJ 212  
 02/17/2021 House—Hearing: Tuesday, February 23, 2021, 3:30 PM Room 346-S  
 03/01/2021 House—Committee Report recommending bill be passed by Committee on  
 Taxation—HJ 327  
 03/04/2021 House—Committee of the Whole - Be passed—HJ 445  
 03/04/2021 House—Emergency Final Action - Passed; Yea: 119 Nay: 4  
 03/05/2021 Senate—Received and Introduced—SJ 320  
 03/10/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 323  
 03/19/2021 Senate—Hearing: Tuesday, March 23, 2021, 9:30 AM Room 548-S

**H 2316** Bill by Taxation

**Eliminating the prohibition of a surcharge when purchases are made with a credit or  
 debit card.**

02/10/2021 House—Introduced—HJ 190  
 02/11/2021 House—Referred to Committee on Taxation—HJ 212  
 02/17/2021 House—Hearing: Monday, February 22, 2021, 3:30 PM Room 346-S  
 03/16/2021 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 489  
 03/29/2021 House—Committee of the Whole - Be passed—HJ 609  
 03/30/2021 House—Final Action - Passed; Yea: 90 Nay: 34—HJ 618  
 03/30/2021 Senate—Received and Introduced—SJ 473  
 03/31/2021 Senate—Referred to Committee on Assessment and Taxation—SJ 550

**H 2317** Bill by Taxation

**Providing a tax credit for expenditures for placing a qualified alternative-fuel fueling station into service.**

02/10/2021 House—Introduced—HJ 190  
 02/11/2021 House—Referred to Committee on Taxation—HJ 212  
 02/17/2021 House—Hearing: Thursday, February 25, 2021, 3:30 PM Room 346-S

**H 2318** Bill by Corrections and Juvenile Justice

**Providing for early discharge for certain offenders on lifetime postrelease supervision and changing the definition of a persistent sex offender.**

02/10/2021 House—Introduced—HJ 190  
 02/11/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 212

**H 2319** Bill by Representative Esau

**Shortening the deadline for the return of advance voting ballots to 5:00 p.m. the day after the election and providing the deadline cannot be altered by an elected or appointed official or a court.**

02/10/2021 House—Introduced—HJ 190  
 02/11/2021 House—Referred to Committee on Elections—HJ 212  
 02/12/2021 House—Hearing: Tuesday, February 16, 2021, 3:30 PM Room 218-N

**H 2320** Bill by Financial Institutions and Rural Development

**Enacting the commercial property assessed clean energy (C-PACE) act, providing financing for certain energy, water, air, health and renewable energy efficiency improvements through assessment contracts between C-PACE lenders and property owners and establishing certain rights, duties and responsibilities for mortgage lenders regarding C-PACE assessments.**

02/10/2021 House—Introduced—HJ 190  
 02/11/2021 House—Referred to Committee on Financial Institutions and Rural Development—HJ 212

**H 2321** Bill by Representatives Finney, Ellis

**Requiring electric public utilities to notify cities prior to construction of urban electric transmission lines.**

02/10/2021 House—Introduced—HJ 190  
 02/11/2021 House—Referred to Committee on Energy, Utilities and Telecommunications—HJ 212  
 02/12/2021 House—Hearing: Thursday, February 18, 2021, 9:00 AM Room 582-N  
 02/25/2021 House—Committee Report recommending bill be passed as amended by Committee on Energy, Utilities and Telecommunications—HJ 306  
 03/01/2021 House—Committee of the Whole - Be passed as amended—HJ 323  
 03/02/2021 House—Final Action - Passed as amended; Yea: 122 Nay: 2—HJ 349  
 03/02/2021 Senate—Received and Introduced—SJ 282

- 03/03/2021 Senate—Referred to Committee on Utilities—SJ 284  
 03/10/2021 Senate—Hearing: Wednesday, March 17, 2021, 1:30 PM Room 548-S  
 03/18/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Utilities—SJ 381  
 03/23/2021 Senate—Consent Calendar Passed Yea: 40 Nay: 0—SJ 392  
 03/29/2021 House—Enrolled and presented to Governor on Monday, March 29, 2021—HJ 616  
 04/08/2021 House—Approved by Governor on Thursday, April 8, 2021—HJ 697
- H 2322** Bill by Representative Probst  
**Regulating contract for deed transactions, authorizing recording of contract for deeds or affidavits of equitable interest, listing deceptive practices constituting violations of the consumer protection act, requiring notice to the buyer of default and allowing buyers to cure violations of such default.**  
 02/10/2021 House—Introduced—HJ 190  
 02/11/2021 House—Referred to Committee on Judiciary—HJ 212
- H 2323** Bill by Representatives Woodard, Byers, Ruiz, S.  
**Amending statutes concerning the recognition of marriage and removing the requirement that marriage be between two parties of the opposite sex.**  
 02/10/2021 House—Introduced—HJ 190  
 02/11/2021 House—Referred to Committee on Federal and State Affairs—HJ 212
- H 2324** Bill by Insurance and Pensions  
**Establishing a \$100 maximum out-of-pocket cost-share per month per covered person for prescription insulin drugs.**  
 02/10/2021 House—Introduced—HJ 190  
 02/11/2021 House—Referred to Committee on Insurance and Pensions—HJ 212
- H 2325** Bill by Insurance and Pensions  
**Prohibiting certain billing practices by health insurers and enacting the end surprise medical bills act.**  
 02/10/2021 House—Introduced—HJ 190  
 02/11/2021 House—Referred to Committee on Insurance and Pensions—HJ 212
- H 2326** Bill by Representative Lee  
**Requiring precinct committeemen and committeewomen to provide the county clerk with their address, phone number and email address and limiting the disclosure of the phone number and email address to county and state party chairpersons.**  
 02/10/2021 House—Introduced—HJ 190  
 02/11/2021 House—Referred to Committee on Elections—HJ 212  
 02/19/2021 House—Hearing: Tuesday, February 23, 2021, 3:30 PM Room 218-N
- H 2327** Bill by Representative Lee  
**Prohibiting county boards, trustees or employees from restricting visitors of residents of a county home for the aged or patients in a county hospital.**  
 02/10/2021 House—Introduced—HJ 191  
 02/11/2021 House—Referred to Committee on Health and Human Services—HJ 212
- H 2328** Bill by Representatives Tarwater, Anderson, Bergquist, Carpenter, B., Croft, Delperdang, Estes, Helmer, Hoheisel, Howard, Huebert, Humphries, Kessler, Penn, Rhiley, Sawyer, Williams  
**Providing income tax credits for aerospace and aviation program graduates and their employers.**

02/10/2021 House—Introduced—HJ 191  
 02/11/2021 House—Referred to Committee on Taxation—HJ 212  
 03/16/2021 House—Withdrawn from Committee on Taxation; Referred to Committee on  
 Commerce, Labor and Economic Development—HJ 470  
 03/17/2021 House—Hearing: Monday, March 22, 2021, 1:30 PM Room 346-S  
 03/29/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Commerce, Labor and Economic Development—HJ 602

**H 2329** Bill by Energy, Utilities and Telecommunications

**Updating the entities who are subject to the pipeline safety program of the state corporation commission.**

02/10/2021 House—Introduced—HJ 191  
 02/11/2021 House—Referred to Committee on Energy, Utilities and Telecommunications—  
 HJ 212  
 02/12/2021 House—Hearing: Tuesday, February 16, 2021, 9:00 AM Room 582-N  
 02/25/2021 House—Committee Report recommending bill be passed by Committee on  
 Energy, Utilities and Telecommunications—HJ 305  
 03/05/2021 House—Withdrawn from Calendar; Referred to Committee on Appropriations—  
 HJ 456  
 03/10/2021 House—Withdrawn from Committee on Appropriations; Rereferred to  
 Committee on Energy, Utilities and Telecommunications—HJ 459  
 03/18/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Energy, Utilities and Telecommunications—HJ 510  
 03/23/2021 House—Committee of the Whole - Be passed as amended—HJ 525  
 03/24/2021 House—Final Action - Passed as amended; Yea: 121 Nay: 1  
 03/24/2021 Senate—Received and Introduced—SJ 397  
 03/25/2021 Senate—Referred to Committee on Utilities—SJ 410

**H 2330** Bill by Energy, Utilities and Telecommunications

**Authorizing solar power purchase agreements with renewable energy suppliers and exempting the sales of electricity pursuant to power purchase agreements from public utility regulation.**

02/10/2021 House—Introduced—HJ 191  
 02/11/2021 House—Referred to Committee on Energy, Utilities and Telecommunications—  
 HJ 212

**H 2331** Bill by Representatives Corbet, Barker, Garber, Highland, Hoffman, Newland, Seiwert,  
 Tarwater

**Providing for the limited transfer of landowner or tenant deer hunting permits to nonresidents.**

02/10/2021 House—Introduced—HJ 191  
 02/11/2021 House—Referred to Committee on Agriculture—HJ 212  
 02/18/2021 House—Withdrawn from Committee on Agriculture; Referred to Committee on  
 Commerce, Labor and Economic Development—HJ 255  
 02/19/2021 House—Hearing: Monday, February 22, 2021, 1:30 PM Room 346-S

**H 2332** Bill by Representative Toplikar

**Prohibiting the modification of election laws other than by legislative process, requiring county election officials to maintain residential and mailing addresses for registered voters, requiring identification of the sender on third party solicitations to registered voters to file an application for an advance voting ballot and prohibiting such solicitations by nonresidents of this state, expanding the crime of election tampering and providing for the appointment of elected officials when**

**vacancy is due to military service.**

- 02/10/2021 House—Introduced—HJ 191  
 02/11/2021 House—Referred to Committee on Elections—HJ 212  
 02/12/2021 House—Hearing: Thursday, February 18, 2021, 3:30 PM Room 218-N  
 03/01/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Elections—HJ 326  
 03/02/2021 House—Committee of the Whole - Be passed as amended—HJ 359  
 03/03/2021 House—Final Action - Passed as amended; Yea: 86 Nay: 38  
 03/05/2021 Senate—Received and Introduced—SJ 320  
 03/10/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 323  
 03/11/2021 Senate—Hearing: Wednesday, March 17, 2021, 10:30 AM Room 144-S  
 03/15/2021 Senate—Hearing: Tuesday, March 16, 2021, 10:30 AM Room 144-S  
 03/29/2021 Senate—Committee Report recommending bill be passed as amended by  
 Committee on Federal and State Affairs—SJ 448  
 03/31/2021 Senate—Committee of the Whole - Be passed as further amended—SJ 561  
 03/31/2021 Senate—Emergency Final Action - Passed as amended; Yea: 28 Nay: 12  
 04/07/2021 House—Nonconcurrent with amendments; Conference Committee requested;  
 appointed Representative Carpenter, B., Representative Bergquist and Representative  
 Miller as conferees—HJ 658  
 04/07/2021 Senate—Motion to accede adopted; Senator Alley, Senator Hilderbrand and  
 Senator Faust-Goudeau appointed as conferees—SJ 585  
 04/08/2021 Senate—Conference Committee Report was adopted; Yea: 27 Nay: 11—SJ 696  
 04/08/2021 House—Conference Committee Report was adopted; Yea: 83 Nay: 38—HJ 803  
 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278  
 05/03/2021 House—Vetoed by Governor; Returned to House on Friday, April 23, 2021—HJ  
 1258  
 05/03/2021 House—Motion to override veto prevailed; Yea: 86 Nay: 37—HJ 1269  
 05/03/2021 Senate—Motion to override veto prevailed; Yea: 28 Nay: 12—SJ 1102

- H 2333** Bill by Representative Toplikar  
**Prohibiting the acceptance of incomplete applications for advance voting ballots,  
 prohibiting candidates for office from engaging in certain conduct with respect to  
 advance voting ballots and expanding the crime of electioneering.**  
 02/10/2021 House—Introduced—HJ 203  
 02/11/2021 House—Referred to Committee on Elections—HJ 212  
 02/12/2021 House—Hearing: Thursday, February 18, 2021, 3:30 PM Room 218-N
- H 2334** Bill by Representative Toplikar  
**Prohibiting the networking of electronic voting machines and providing for recounts of  
 the results tabulated by such machines.**  
 02/10/2021 House—Introduced—HJ 203  
 02/11/2021 House—Referred to Committee on Elections—HJ 212
- H 2335** Bill by Agriculture  
**Creating the Kansas cotton commission and requiring the commission to levy an  
 assessment upon cotton marketed through commercial channels in the state of  
 Kansas at a rate of not more than 10 cents per bale.**  
 02/10/2021 House—Introduced—HJ 203  
 02/11/2021 House—Referred to Committee on Agriculture—HJ 212
- H 2336** Bill by Agriculture  
**Making it unlawful to take a wildlife simulated device being used by a law enforcement  
 officer for the purpose of enforcing the wildlife laws of this state.**

02/10/2021 House—Introduced—HJ 204  
02/11/2021 House—Referred to Committee on Agriculture—HJ 212  
02/17/2021 House—Hearing: Monday, February 22, 2021, 3:30 PM Room 112-N  
02/25/2021 House—Committee Report recommending bill be passed by Committee on Agriculture—HJ 302  
03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2337** Bill by Transportation

**Creating a misdemeanor for causing an injury to a vulnerable road user.**

02/10/2021 House—Introduced—HJ 204  
02/11/2021 House—Referred to Committee on Transportation—HJ 212

**H 2338** Bill by Children and Seniors

**Establishing a pilot program in the department for children and families to assist children in the custody of the secretary in obtaining a driver's license.**

02/10/2021 House—Introduced—HJ 204  
02/11/2021 House—Referred to Committee on Children and Seniors—HJ 212  
02/12/2021 House—Hearing: Thursday, February 18, 2021, 1:30 PM Room 152-S

**H 2339** Bill by Representative Toplikar

**Expanding the crime of election tampering to include changing or altering votes cast, manipulating computer hardware or software or vote tabulation methods or producing false vote totals.**

02/10/2021 House—Introduced—HJ 204  
02/11/2021 House—Referred to Committee on Elections—HJ 212  
02/12/2021 House—Hearing: Tuesday, February 16, 2021, 3:30 PM Room 218-N  
03/01/2021 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 326  
03/05/2021 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 456  
03/10/2021 House—Withdrawn from Committee on Appropriations and re-referred to Committee of the Whole—HJ 458  
03/16/2021 House—Committee of the Whole - Be passed as amended—HJ 473  
03/17/2021 House—Final Action - Passed as amended; Yea: 122 Nay: 1  
03/17/2021 Senate—Received and Introduced—SJ 363  
03/18/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 373  
03/18/2021 Senate—Hearing: Wednesday, March 24, 2021, 10:30 AM Room 144-S

**H 2340** Bill by Federal and State Affairs

**Increasing the minimum age to 21 to purchase or possess cigarettes and tobacco products.**

02/10/2021 House—Introduced—HJ 204  
02/11/2021 House—Referred to Committee on Federal and State Affairs—HJ 212  
02/17/2021 House—Hearing: Monday, February 22, 2021, 9:00 AM Room 346-S  
03/01/2021 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 327

**H 2341** Bill by Transportation

**Permitting vehicle manufacturers to be vehicle dealers, repealing territory restrictions for vehicle dealers and creating an interest rate cap for motor vehicle loans.**

02/10/2021 House—Introduced—HJ 204  
02/11/2021 House—Referred to Committee on Transportation—HJ 212

**H 2342** Bill by Representative Vaughn

- Allowing pharmacists to prescribe and fill prescriptions for self-administered contraceptives.**  
 02/10/2021 House—Introduced—HJ 204  
 02/11/2021 House—Referred to Committee on Health and Human Services—HJ 212
- H 2343** Bill by Representative Vaughn  
**Providing for insurance coverage for prescription contraceptives dispensed for three or twelve-month periods.**  
 02/10/2021 House—Introduced—HJ 204  
 02/11/2021 House—Referred to Committee on Insurance and Pensions—HJ 212
- H 2344** Bill by Elections  
**Requiring Riley county to elect a county sheriff beginning in the 2022 election cycle and abolishing the Riley county law enforcement agency.**  
 02/10/2021 House—Introduced—HJ 204  
 02/11/2021 House—Referred to Committee on Elections—HJ 212
- H 2345** Bill by Representatives Ousley, Baker, Carlson, Concannon, Curtis, Esau, Finney, Helmer, Hoheisel, Hoye, Humphries, T. Johnson, Neighbor, Penn, Resman, Rhiley, Ruiz, S., Vaughn  
**Establishing the office of the child advocate for children's protection and services.**  
 02/10/2021 House—Introduced—HJ 204  
 02/11/2021 House—Referred to Committee on Children and Seniors—HJ 212  
 02/12/2021 House—Hearing: Wednesday, February 17, 2021, 1:30 PM Room 152-S  
 02/23/2021 House—Committee Report recommending bill be passed as amended by Committee on Children and Seniors—HJ 276  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457
- H 2346** Bill by Corrections and Juvenile Justice  
**Allowing release of defendants to a pretrial supervision entity or program and allowing fees associated with supervision to the nonjudicial salary adjustment fund at the discretion of a chief judge.**  
 02/10/2021 House—Introduced—HJ 205  
 02/11/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 212  
 02/17/2021 House—Hearing: Tuesday, February 23, 2021, 1:30 PM Room 546-S  
 02/26/2021 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 315  
 03/05/2021 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 456  
 03/10/2021 House—Withdrawn from Committee on Appropriations; Referred to Committee on Judiciary—HJ 459
- H 2347** Bill by Corrections and Juvenile Justice  
**Making changes related to sex offenses including creating the crime of rape during a treatment session, lowering the criminal penalty for attempt, conspiracy and solicitation of certain sex offenses and changing the elements of, reducing criminal penalties and removing registration requirements for unlawful voluntary sexual relations.**  
 02/10/2021 House—Introduced—HJ 205  
 02/11/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 212
- H 2348** Bill by Judiciary  
**Modifying automobile insurance policy uninsured and underinsured motorist coverage liability limitations for bodily injury or death.**

- 02/10/2021 House—Introduced—HJ 205  
 02/11/2021 House—Referred to Committee on Insurance and Pensions—HJ 212
- H 2349** Bill by Corrections and Juvenile Justice  
**Creating a mechanism to seek relief from the Kansas offender registration act requirements, decreasing criminal penalties for failure to register, allowing courts to waive fees associated with registration, reducing number of places a person is required to register and eliminating registration for most juvenile adjudications.**  
 02/10/2021 House—Introduced—HJ 205  
 02/11/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 212  
 02/17/2021 House—Hearing: Monday, February 22, 2021, 1:30 PM Room 546-S  
 02/26/2021 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 315  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457
- H 2350** Bill by Corrections and Juvenile Justice  
**Expanding the number of presumptive probation and border grid blocks in the sentencing grid for nondrug crimes.**  
 02/10/2021 House—Introduced—HJ 205  
 02/11/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 212
- H 2351** Bill by K-12 Education Budget  
**Providing liability protection for businesses, municipalities and educational institutions that participate in high school work-based learning programs and providing that schools are responsible for injuries to students participating in such programs.**  
 02/10/2021 House—Introduced—HJ 205  
 02/11/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 212  
 02/17/2021 House—Hearing: Monday, February 22, 2021, 1:30 PM Room 346-S
- H 2352** Bill by Representative Vaughn  
**Providing a sales tax exemption for sales of farm products sold at farmers' markets.**  
 02/10/2021 House—Introduced—HJ 205  
 02/11/2021 House—Referred to Committee on Taxation—HJ 212
- H 2353** Bill by Appropriations  
**Establishing the Kansas commission for the United States semiquincentennial.**  
 02/10/2021 House—Introduced—HJ 205  
 02/11/2021 House—Referred to Committee on Appropriations—HJ 212  
 02/17/2021 House—Hearing: Wednesday, February 24, 2021, 9:00 AM Room 112-N  
 03/17/2021 House—Committee Report recommending bill be passed as amended by Committee on Appropriations—HJ 498
- H 2354** Bill by K-12 Education Budget  
**Providing public employees and professional employees certain rights with respect to withholding of public employee organization and professional employee organization dues.**  
 02/10/2021 House—Introduced—HJ 205  
 02/11/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 212  
 02/24/2021 House—Hearing: Wednesday, February 24, 2021, 1:30 PM Room 346-S
- H 2355** Bill by Elections  
**Clarifying four election statutes dealing with bond law elections, county election**

**commissioners, deleting the requirement of residing in the county and mail ballots clarification.**

- 02/11/2021 House—Introduced—HJ 211  
 02/12/2021 House—Referred to Committee on Elections—HJ 223  
 02/19/2021 House—Hearing: Tuesday, February 23, 2021, 3:30 PM Room 218-N  
 02/24/2021 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Elections—HJ 288  
 03/02/2021 House—Withdrawn from Consent Calendar and placed on General Orders—HJ 337  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

- H 2356** Bill by Judiciary  
**Enacting the uniform partition of heirs property act to prescribe procedures and requirements for partition of certain real property.**  
 02/11/2021 House—Introduced—HJ 211  
 02/12/2021 House—Referred to Committee on Judiciary—HJ 223
- H 2357** Bill by Taxation  
**Establishing the property tax relief act and providing expiration of the selective assistance for effective relief credit and the homestead property tax refund.**  
 02/11/2021 House—Introduced—HJ 211  
 02/12/2021 House—Referred to Committee on Taxation—HJ 223
- H 2358** Bill by Taxation  
**Providing a sales tax exemption for nonprofit integrated community care organizations.**  
 02/11/2021 House—Introduced—HJ 212  
 02/12/2021 House—Referred to Committee on Taxation—HJ 223
- H 2359** Bill by K-12 Education Budget  
**Establishing the nonproficient student weighting in the Kansas school equity and enhancement act.**  
 02/11/2021 House—Introduced—HJ 212  
 02/12/2021 House—Referred to Committee on K-12 Education Budget—HJ 223
- H 2360** Bill by Corrections and Juvenile Justice  
**Removing recklessly causing fear or evacuation, lock down or disruption in regular, ongoing activities from the crime of criminal threat.**  
 02/11/2021 House—Introduced—HJ 220  
 02/12/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 223  
 02/17/2021 House—Hearing: Wednesday, February 24, 2021, 1:30 PM Room 546-S  
 02/26/2021 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 315  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457
- H 2361** Bill by Corrections and Juvenile Justice  
**Authorizing the supreme court to adopt rules establishing specialty courts, creating the specialty court funding advisory committee and the specialty court resources fund.**  
 02/11/2021 House—Introduced—HJ 220  
 02/12/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 223  
 02/17/2021 House—Hearing: Tuesday, February 23, 2021, 1:30 PM Room 546-S  
 02/26/2021 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 315  
 03/02/2021 House—Committee of the Whole - Be passed—HJ 357  
 03/03/2021 House—Final Action - Passed; Yea: 122 Nay: 1

03/03/2021 Senate—Received and Introduced—SJ 306  
 03/05/2021 Senate—Referred to Committee on Judiciary—SJ 319  
 03/19/2021 Senate—Hearing: Thursday, March 25, 2021, 10:30 AM Room 346-S

**H 2362** Bill by Judiciary  
**Modifying the elements of and making changes to the criminal penalties of abuse of a child.**

02/11/2021 House—Introduced—HJ 220  
 02/12/2021 House—Referred to Committee on Judiciary—HJ 223  
 02/17/2021 House—Hearing: Monday, February 22, 2021, 3:30 PM Room 582-N  
 02/25/2021 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 307  
 03/02/2021 House—Committee of the Whole - Be passed—HJ 357  
 03/03/2021 House—Final Action - Passed; Yea: 124 Nay: 0  
 03/03/2021 Senate—Received and Introduced—SJ 306  
 03/05/2021 Senate—Referred to Committee on Judiciary—SJ 319

**H 2363** Bill by Judiciary  
**Increasing the maximum rate paid to appointed counsel.**

02/11/2021 House—Introduced—HJ 220  
 02/12/2021 House—Referred to Committee on Judiciary—HJ 223  
 02/12/2021 House—Hearing: Monday, February 15, 2021, 3:30 PM Room 582-N  
 02/24/2021 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 289  
 03/05/2021 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 456  
 03/10/2021 House—Withdrawn from Committee on Appropriations; Referred to Committee on Transportation and Public Safety Budget—HJ 459  
 03/17/2021 House—Hearing: Monday, March 22, 2021, 3:30 PM Room 118-N  
 03/25/2021 House—Committee Report recommending bill be passed as amended by Committee on Transportation and Public Safety Budget—HJ 570  
 03/29/2021 House—Committee of the Whole - Be passed as amended—HJ 611  
 03/30/2021 House—Final Action - Passed as amended; Yea: 116 Nay: 8—HJ 618  
 03/30/2021 Senate—Received and Introduced—SJ 473  
 03/31/2021 Senate—Referred to Committee on Ways and Means—SJ 550  
 04/06/2021 Senate—Hearing: Wednesday, April 7, 2021, 9:00 AM Room 548-S  
 04/07/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 601

**H 2364** Bill by Judiciary  
**Defining torturing for the purposes of the crime of cruelty to animals.**

02/11/2021 House—Introduced—HJ 220  
 02/12/2021 House—Referred to Committee on Judiciary—HJ 223

**H 2365** Bill by Judiciary  
**Providing immunity from criminal prosecution for possession of controlled substances or drug paraphernalia if seeking assistance related to substance use.**

02/11/2021 House—Introduced—HJ 220  
 02/12/2021 House—Referred to Committee on Judiciary—HJ 223  
 02/17/2021 House—Hearing: Monday, February 22, 2021, 3:30 PM Room 582-N  
 02/26/2021 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 320  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

- H 2366** Bill by Judiciary  
**Requiring prosecutors to disclose their intent to introduce testimony from a jailhouse witness and to forward information to the Kansas bureau of investigation.**  
 02/11/2021 House—Introduced—HJ 221  
 02/12/2021 House—Referred to Committee on Judiciary—HJ 223  
 03/05/2021 House—Withdrawn from Committee on Judiciary; Referred to Committee on Appropriations—HJ 456  
 03/10/2021 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Judiciary—HJ 458  
 03/10/2021 House—Hearing: Tuesday, March 16, 2021, 3:30 PM Room 582-N  
 03/24/2021 House—Committee Report recommending bill be passed by Committee on Judiciary—HJ 546  
 04/08/2021 House—Committee of the Whole - Be passed—HJ 695  
 04/08/2021 House—Emergency Final Action - Passed; Yea: 123 Nay: 0—HJ 695  
 04/08/2021 Senate—Received and Introduced  
 04/09/2021 Senate—Referred to Committee on Judiciary—SJ 752
- H 2367** Bill by Energy, Utilities and Telecommunications  
**Authorizing the state corporation commission to regulate certain transmission line wire stringing activities.**  
 02/11/2021 House—Introduced—HJ 221  
 02/12/2021 House—Referred to Committee on Energy, Utilities and Telecommunications—HJ 223  
 02/12/2021 House—Hearing: Tuesday, February 16, 2021, 9:00 AM Room 582-N  
 02/25/2021 House—Committee Report recommending bill be passed by Committee on Energy, Utilities and Telecommunications—HJ 305  
 03/01/2021 House—Committee of the Whole - Be passed—HJ 323  
 03/02/2021 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 350  
 03/02/2021 Senate—Received and Introduced—SJ 282  
 03/03/2021 Senate—Referred to Committee on Utilities—SJ 284  
 03/10/2021 Senate—Hearing: Tuesday, March 16, 2021, 1:30 PM Room 548-S  
 03/24/2021 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Utilities—SJ 408  
 03/29/2021 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 439  
 04/06/2021 House—Enrolled and presented to Governor on Friday, April 2, 2021—HJ 656  
 04/09/2021 House—Approved by Governor on Friday, April 9, 2021—HJ 1220
- H 2368** Bill by Insurance and Pensions  
**Increasing the motor vehicle liability insurance minimum policy limit for bodily injury.**  
 02/11/2021 House—Introduced—HJ 221  
 02/12/2021 House—Referred to Committee on Insurance and Pensions—HJ 223
- H 2369** Bill by Judiciary  
**Extending the Kansas closed case task force and providing for staff assistance.**  
 02/11/2021 House—Introduced—HJ 221  
 02/12/2021 House—Referred to Committee on Judiciary—HJ 223  
 02/12/2021 House—Hearing: Tuesday, February 16, 2021, 3:30 PM Room 582-N  
 02/24/2021 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 289  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457
- H 2370** Bill by Commerce, Labor and Economic Development

**Prohibiting a criminal conviction from acting as a sole disqualification for occupational licensure and creating guidelines to follow when considering criminal convictions of an applicant for occupational licensure.**

02/11/2021 House—Introduced—HJ 221

02/12/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 223

**H 2371** Bill by Children and Seniors  
**Removing cooperation with child support from requirements for food and child care assistance and exempting adults enrolled in school from the 20-hour-per-week work requirement for child care assistance.**

02/12/2021 House—Introduced—HJ 222

02/15/2021 House—Referred to Committee on Children and Seniors—HJ 229

02/18/2021 House—Hearing: Monday, February 22, 2021, 1:30 PM Room 152-S

03/01/2021 House—Committee Report recommending bill be passed as amended by Committee on Children and Seniors—HJ 326

03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2372** Bill by Health and Human Services  
**Establishing a medicaid ambulance service provider assessment to be imposed on ground ambulance service providers.**

02/12/2021 House—Introduced—HJ 222

02/15/2021 House—Referred to Committee on Health and Human Services—HJ 229

**H 2373** Bill by Health and Human Services  
**Requiring the Kansas department for aging and disability services to establish and implement a mobile crisis services program for individuals with intellectual or developmental disability.**

02/12/2021 House—Introduced—HJ 222

02/15/2021 House—Referred to Committee on Health and Human Services—HJ 229

02/17/2021 House—Hearing: Tuesday, February 23, 2021, 1:30 PM Room 112-N

02/26/2021 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 320

03/05/2021 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 456

03/10/2021 House—Withdrawn from Committee on Appropriations and re-referred to Committee of the Whole—HJ 458

**H 2374** Bill by Corrections and Juvenile Justice  
**Authorizing the Kansas sentencing commission to change risk assessment cut-off levels for participation in the certified drug abuse treatment program.**

02/12/2021 House—Introduced—HJ 222

02/15/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 229

02/17/2021 House—Hearing: Tuesday, February 23, 2021, 1:30 PM Room 546-S

02/25/2021 House—Committee Report recommending bill be passed by Committee on Corrections and Juvenile Justice—HJ 303

03/01/2021 House—Committee of the Whole - Be passed—HJ 323

03/02/2021 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 350

03/02/2021 Senate—Received and Introduced—SJ 282

03/03/2021 Senate—Referred to Committee on Judiciary—SJ 283

03/19/2021 Senate—Hearing: Wednesday, March 24, 2021, 10:30 AM Room 346-S

**H 2375** Bill by Judiciary

**Adding items to the the definitions of a knife and weapon for purposes of the crime of criminal possession of a weapon by a convicted felon.**

02/12/2021 House—Introduced—HJ 222

02/15/2021 House—Referred to Committee on Judiciary—HJ 229

**H 2376** Bill by Judiciary

**Requiring law enforcement agencies to adopt a policy relating to making arrests for violation of a protective order and procedures for separating suspects from the scene for a period of time.**

02/12/2021 House—Introduced—HJ 222

02/15/2021 House—Referred to Committee on Judiciary—HJ 229

02/17/2021 House—Hearing: Tuesday, February 23, 2021, 3:30 PM Room 582-N

**H 2377** Bill by Judiciary

**Revising the laws concerning driving under the influence, including authorizing reinstatement of a driver's license for certain persons with an ignition interlock device restriction, requiring persons with an ignition interlock device restriction to complete the ignition interlock device program before driving privileges are fully reinstated, providing for reduced ignition interlock device program costs for certain persons and modifying the criminal penalties for driving a commercial motor vehicle under the influence and driving under the influence.**

02/12/2021 House—Introduced—HJ 222

02/12/2021 House—Hearing: Tuesday, February 16, 2021, 3:30 PM Room 582-N

02/15/2021 House—Referred to Committee on Judiciary—HJ 229

02/25/2021 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 307

03/02/2021 House—Committee of the Whole - Be passed as amended—HJ 359

03/03/2021 House—Final Action - Passed as amended; Yea: 101 Nay: 23

03/05/2021 Senate—Received and Introduced—SJ 320

03/10/2021 Senate—Referred to Committee on Judiciary—SJ 323

03/18/2021 Senate—Hearing: Wednesday, March 24, 2021, 10:30 AM Room 346-S

03/30/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 528

**H 2378** Bill by Insurance and Pensions

**Creating the Kansas work and save program under the administration of the state treasurer and allowing certain individuals to contribute to individual retirement accounts.**

02/12/2021 House—Introduced—HJ 223

02/15/2021 House—Referred to Committee on Insurance and Pensions—HJ 229

**H 2379** Bill by Insurance and Pensions

**Enacting the peer-to-peer vehicle sharing act to provide insurance, liability, recordkeeping and consumer protection requirements for peer-to-peer vehicle sharing.**

02/12/2021 House—Introduced—HJ 223

02/15/2021 House—Referred to Committee on Transportation—HJ 229

02/17/2021 House—Hearing: Wednesday, February 24, 2021, 1:30 PM Room 582-N

03/01/2021 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 331

03/03/2021 House—Committee of the Whole - Be passed as amended—HJ 374

03/04/2021 House—Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 442

03/10/2021 Senate—Received and Introduced—SJ 323

03/11/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 326  
 03/17/2021 Senate—Hearing: Monday, March 22, 2021, 9:30 AM Room 546-S  
 03/23/2021 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 394  
 03/30/2021 Senate—Committee of the Whole - Be passed—SJ 479  
 03/31/2021 Senate—Final Action - Passed; Yea: 39 Nay: 1  
 04/09/2021 House—Enrolled and presented to Governor on Friday, April 9, 2021—HJ 1253  
 05/03/2021 House—Approved by Governor on Friday, April 16, 2021—HJ 1266

**H 2380** Bill by Insurance and Pensions

**Amending healthcare stabilization fund minimum professional liability insurance coverage requirements and the membership of the board of governors of such fund.**

02/12/2021 House—Introduced—HJ 223  
 02/15/2021 House—Referred to Committee on Insurance and Pensions—HJ 229  
 02/17/2021 House—Hearing: Monday, February 22, 2021, 3:30 PM Room 218-N  
 03/05/2021 House—Withdrawn from Committee on Insurance and Pensions; Referred to Committee on Appropriations—HJ 456  
 03/10/2021 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Insurance and Pensions—HJ 459  
 03/24/2021 House—Committee Report recommending bill be passed as amended by Committee on Insurance and Pensions—HJ 540  
 03/29/2021 House—Committee of the Whole - Be passed as amended—HJ 611  
 03/30/2021 House—Final Action - Passed as amended; Yea: 104 Nay: 20—HJ 619  
 03/30/2021 Senate—Received and Introduced—SJ 473  
 03/31/2021 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 550

**H 2381** Bill by Energy, Utilities and Telecommunications

**Establishing the state energy plan task force to develop a comprehensive state energy plan.**

02/12/2021 House—Introduced—HJ 223  
 02/15/2021 House—Referred to Committee on Energy, Utilities and Telecommunications—HJ 229  
 02/17/2021 House—Hearing: Tuesday, February 23, 2021, 9:00 AM Room 582-N  
 02/25/2021 House—Committee Report recommending bill be passed as amended by Committee on Energy, Utilities and Telecommunications—HJ 306  
 03/05/2021 House—Stricken from Calendar by Rule 1507—HJ 457

**H 2382** Bill by Social Services Budget

**Making appropriations for the Kansas department for aging and disability services to provide services to individuals waiting to receive intellectual or developmental disability home and community-based services; lapsing state foundation aid and authorizing school districts to expend unencumbered cash balances.**

02/12/2021 House—Introduced—HJ 224  
 02/15/2021 House—Referred to Committee on Social Services Budget—HJ 229  
 03/05/2021 House—Withdrawn from Committee on Social Services Budget; Referred to Committee on Appropriations—HJ 456  
 03/10/2021 House—Withdrawn from Committee on Appropriations; Rereferred to Committee on Social Services Budget—HJ 459

**H 2383** Bill by Insurance and Pensions

**Providing for enhanced regulation of pharmacy benefits managers and requiring licensure rather than registration of such entities.**

- 02/12/2021 House—Introduced—HJ 224  
02/15/2021 House—Referred to Committee on Insurance and Pensions—HJ 229
- H 2384** Bill by Health and Human Services  
**Establishing the advisory committee on harm reduction to advise KDHE on reducing incidents of harm to individuals in the state.**  
02/12/2021 House—Introduced—HJ 224  
02/15/2021 House—Referred to Committee on Health and Human Services—HJ 229
- H 2385** Bill by Health and Human Services  
**Expanding the pharmacist's scope of practice to include point-of-care testing for and treatment of certain health conditions.**  
02/12/2021 House—Introduced—HJ 224  
02/15/2021 House—Referred to Committee on Health and Human Services—HJ 229
- H 2386** Bill by Health and Human Services  
**Establishing requirements for the payment and reimbursement of dental services by a dental benefit plan.**  
02/12/2021 House—Introduced—HJ 224  
02/15/2021 House—Referred to Committee on Health and Human Services—HJ 229
- H 2387** Bill by Judiciary  
**Revising laws relating to operating an aircraft under the influence, including prescribing criminal and administrative penalties and providing for testing of blood, breath, urine or other bodily substances, and preliminary screening tests of breath or oral fluid.**  
02/12/2021 House—Introduced—HJ 224  
02/12/2021 House—Hearing: Tuesday, February 16, 2021, 3:30 PM Room 582-N  
02/15/2021 House—Referred to Committee on Judiciary—HJ 229  
02/25/2021 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 308  
03/01/2021 House—Committee of the Whole - Be passed as amended—HJ 324  
03/02/2021 House—Final Action - Passed as amended; Yea: 101 Nay: 23  
03/02/2021 Senate—Received and Introduced—SJ 282  
03/03/2021 Senate—Referred to Committee on Judiciary—SJ 283  
03/18/2021 Senate—Hearing: Wednesday, March 24, 2021, 10:30 AM Room 346-S
- H 2388** Bill by Insurance and Pensions  
**Requiring health benefit plans to cover certain professional services when performed by pharmacists.**  
02/12/2021 House—Introduced—HJ 224  
02/15/2021 House—Referred to Committee on Insurance and Pensions—HJ 229
- H 2389** Bill by Judiciary  
**Authorizing a notice to appear for unlawful possession of marijuana and defining complaint in the Kansas code of criminal procedure to include such notice to appear.**  
02/12/2021 House—Introduced—HJ 225  
02/15/2021 House—Referred to Committee on Judiciary—HJ 229  
02/17/2021 House—Hearing: Tuesday, February 23, 2021, 3:30 PM Room 582-N  
02/26/2021 House—Committee Report recommending bill be passed by Committee on Judiciary  
03/05/2021 House—Withdrawn from Calendar; Referred to Committee on Appropriations—HJ 456

03/10/2021 House—Withdrawn from Committee on Appropriations and re-referred to Committee of the Whole—HJ 458

**H 2390** Bill by Judiciary

**Making permanent certain exceptions to the disclosure of public records under the open records act, creating exemptions in the open records act for cyber security assessments, plans and vulnerabilities, prohibiting the filing of certain liens or claims against real or personal property and providing for criminal penalties and authorizing local correctional or detention officers and administrative hearing officers to have identifying information restricted from public access on public websites that identify home addresses or home ownership.**

02/12/2021 House—Introduced—HJ 225

02/12/2021 House—Hearing: Wednesday, February 17, 2021, 3:30 PM Room 582-N

02/15/2021 House—Referred to Committee on Judiciary—HJ 229

02/24/2021 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Judiciary—HJ 289

03/02/2021 House—Final Action - Passed; Yea: 124 Nay: 0—HJ 339

03/02/2021 Senate—Received and Introduced—SJ 282

03/05/2021 Senate—Referred to Committee on Transparency and Ethics—SJ 319

03/17/2021 Senate—Hearing: Wednesday, March 24, 2021, 9:30 AM Room 142-S

03/29/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Transparency and Ethics—SJ 451

03/30/2021 Senate—Committee of the Whole - Be passed as amended—SJ 481

03/31/2021 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0

04/06/2021 House—Nonconcurring with amendments; Conference Committee requested; appointed Representative Patton, Representative Ralph and Representative Carmichael as conferees—HJ 653

04/07/2021 Senate—Motion to accede adopted; Senator Bowers, Senator McGinn and Senator Faust-Goudeau appointed as conferees—SJ 583

04/08/2021 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 0—SJ 702

04/09/2021 House—Conference Committee Report was adopted; Yea: 121 Nay: 2—HJ 812

05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278

05/03/2021 House—Approved by Governor on Wednesday, April 21, 2021—HJ 1266

**H 2391** Bill by Commerce, Labor and Economic Development

**Changing the secretary of state's business filings provisions, including instituting biennial business report filings, authorizing the secretary of state to contract with private entities for printing and binding services, changing publication and price requirements for publications of the secretary of state and repealing certain obsolete statutes including blanket music license filing provisions.**

02/12/2021 House—Introduced—HJ 225

02/15/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 229

02/17/2021 House—Hearing: Friday, February 19, 2021, 1:30 PM Room 346-S

02/25/2021 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 303

03/01/2021 House—Committee of the Whole - Be passed as amended—HJ 325

03/02/2021 House—Final Action - Passed as amended; Yea: 121 Nay: 3—HJ 352

03/02/2021 Senate—Received and Introduced—SJ 282

03/03/2021 Senate—Referred to Committee on Transparency and Ethics—SJ 284

03/10/2021 Senate—Hearing: Wednesday, March 17, 2021, 9:30 AM Room 142-S

03/29/2021 Senate—Committee Report recommending bill be passed as amended by Committee on Transparency and Ethics—SJ 459

- 03/30/2021 Senate—Committee of the Whole - Be passed as amended—SJ 481  
 03/31/2021 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0  
 04/06/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative Tarwater, Representative Long and Representative Clayton as conferees—HJ 653  
 04/07/2021 Senate—Motion to accede adopted; Senator Bowers, Senator McGinn and Senator Faust-Goudeau appointed as conferees—SJ 583  
 04/08/2021 House—Concurred with amendments in conference; Yea: 123 Nay: 0—HJ 798  
 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278  
 05/03/2021 House—Approved by Governor on Wednesday, April 21, 2021—HJ 1266
- H 2392** Bill by Appropriations  
**Providing lifetime combination fishing, hunting and furharvester licenses to any Kansas air or army national guard veteran who served for 20 years and was honorably discharged.**  
 02/16/2021 House—Introduced—HJ 232  
 02/17/2021 House—Referred to Committee on Agriculture—HJ 235  
 03/10/2021 House—Hearing: Wednesday, March 17, 2021, 3:30 PM Room 112-N
- H 2393** Bill by Federal and State Affairs  
**Providing workers compensation benefits for first responders suffering from post-traumatic stress disorder.**  
 02/17/2021 House—Introduced—HJ 234  
 02/18/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 240
- H 2394** Bill by Taxation  
**Increasing the amount of the research and development tax credit, expanding eligibility beyond corporate taxpayers and permitting transfer of the credit.**  
 02/17/2021 House—Introduced—HJ 234  
 02/18/2021 House—Referred to Committee on Taxation—HJ 240
- H 2395** Bill by Taxation  
**Requiring marketplace facilitators to collect and remit sales and compensating use taxes, transient guest taxes and prepaid wireless 911 fees and providing nexus for certain retailers that make sales in Kansas.**  
 02/17/2021 House—Introduced—HJ 234  
 02/18/2021 House—Referred to Committee on Taxation—HJ 240  
 03/10/2021 House—Hearing: Tuesday, March 16, 2021, 3:30 PM Room 346-S
- H 2396** Bill by Appropriations  
**Making supplemental appropriations for fiscal years 2021 through 2032 for various state agencies and revising the pooled money investment portfolio repayment schedule.**  
 02/17/2021 House—Introduced—HJ 235  
 02/18/2021 House—Referred to Committee on Appropriations—HJ 240  
 03/03/2021 House—Hearing: Wednesday, March 10, 2021, 9:00 AM Room 112-N
- H 2397** Bill by Appropriations  
**Senate Substitute for Substitute for HB 2397 by Committee on Ways and Means - Reconciling conflicting amendments to certain statutes.**  
 02/17/2021 House—Introduced—HJ 235  
 02/18/2021 House—Referred to Committee on Appropriations—HJ 240  
 03/03/2021 House—Hearing: Wednesday, March 10, 2021, 9:00 AM Room 112-N

- 03/22/2021 House—Committee Report recommending substitute bill be passed by Committee on Appropriations—HJ 517
- 03/30/2021 House—Representative Waymaster challenged the amendment under the Pay-Go provision of House Rule 2110. The amendment was ruled to be in order.—HJ 633
- 03/30/2021 House—Committee of the Whole - Motion to rerefer to committee failed—HJ 635
- 03/30/2021 House—Committee of the Whole - Substitute bill be passed as amended—HJ 635
- 03/30/2021 House—Emergency Final Action - Substitute passed as amended; Yea: 71 Nay: 52
- 04/06/2021 Senate—Received and Introduced—SJ 575
- 04/07/2021 Senate—Referred to Committee on Ways and Means—SJ 581
- 05/06/2021 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 1258
- 05/07/2021 Senate—Motion to advance to final action, subject to amendments and debate. Motion carried.—SJ 1260
- 05/07/2021 Senate—Emergency Final Action - Substitute passed; Yea: 39 Nay: 0—SJ 1260
- 05/07/2021 House—Concurred with amendments; Yea: 116 Nay: 3—HJ 1426
- 05/26/2021 House—Enrolled and presented to Governor on Friday, May 14, 2021—HJ 1550
- 05/26/2021 House—Approved by Governor on Friday, May 21, 2021—HJ 1545
- H 2398** Bill by Appropriations  
**Enacting the technology-enabled trust bank act, providing requirements, fiduciary powers, duties, functions and limitations for trust banks and the administration thereof by the bank commissioner and creating an income and privilege tax credit for certain qualified distributions from trust banks.**
- 02/17/2021 House—Introduced—HJ 236
- 02/18/2021 House—Referred to Committee on Financial Institutions and Rural Development—HJ 240
- 03/17/2021 House—Hearing: Monday, March 22, 2021, 9:00 AM Room 218-N
- H 2399** Bill by Appropriations  
**Amortizing the state and school KPERS unfunded actuarial liability over a 24-year period and eliminating certain level-dollar employer contribution payments.**
- 02/17/2021 House—Introduced—HJ 236
- 02/18/2021 House—Referred to Committee on Insurance and Pensions—HJ 240
- 02/18/2021 House—Hearing: Wednesday, February 24, 2021, 3:30 PM Room 218-N
- 02/25/2021 House—Committee Report without recommendation by Committee on Insurance and Pensions—HJ 306
- H 2400** Bill by Federal and State Affairs  
**Enacting the massage therapist licensure act, to provide for regulation and licensing of massage therapists.**
- 02/17/2021 House—Introduced—HJ 236
- 02/18/2021 House—Referred to Committee on Health and Human Services—HJ 240
- H 2401** Bill by Appropriations  
**Authorizing the secretary of corrections to enter agreements for public-private partnerships for projects for new or renovated buildings at correctional institutions for education, skills-building and spiritual needs programs; establishing a nonprofit corporation to receive gifts, donations, grants and other moneys and engage in fundraising projects for funding such projects for education, skills-building and spiritual needs programs.**

02/18/2021 House—Introduced—HJ 239  
 02/19/2021 House—Referred to Committee on Corrections and Juvenile Justice—HJ 256  
 03/03/2021 House—Hearing: Wednesday, March 10, 2021, 1:30 PM Room 546-S  
 03/17/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Corrections and Juvenile Justice—HJ 498  
 03/22/2021 House—Committee of the Whole - Be passed as amended—HJ 517  
 03/23/2021 House—Final Action - Passed as amended; Yea: 123 Nay: 0  
 03/23/2021 Senate—Received and Introduced—SJ 390  
 03/23/2021 Senate—Referred to Committee on Ways and Means—SJ 390  
 03/23/2021 Senate—Hearing: Thursday, March 25, 2021, 10:30 AM Room 548-S  
 03/30/2021 Senate—Committee Report recommending bill be passed as amended by  
 Committee on Ways and Means—SJ 549  
 04/07/2021 Senate—Committee of the Whole - Be passed as amended—SJ 584  
 04/08/2021 Senate—Final Action - Passed as amended; Yea: 37 Nay: 3—SJ 618  
 04/08/2021 House—Concurred with amendments; Yea: 120 Nay: 2—HJ 777  
 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278  
 05/03/2021 House—Approved by Governor on Thursday, April 22, 2021—HJ 1266

**H 2402** Bill by Appropriations  
**Excluding hypothetical leased fee when determining fair market value for property  
 taxation purposes.**

02/18/2021 House—Introduced—HJ 239  
 02/19/2021 House—Referred to Committee on Appropriations—HJ 256

**H 2403** Bill by Federal and State Affairs  
**Establishing the community defense act to regulate sexually oriented businesses and  
 impose criminal penalties for violations.**

02/18/2021 House—Introduced—HJ 239  
 02/19/2021 House—Referred to Committee on Federal and State Affairs—HJ 256  
 03/03/2021 House—Hearing: Thursday, March 11, 2021, 9:00 AM Room 346-S

**H 2404** Bill by Appropriations  
**Providing a KPERS death and long-term disability employer contribution moratorium.**

02/18/2021 House—Introduced—HJ 240  
 02/19/2021 House—Referred to Committee on Appropriations—HJ 256

**H 2405** Bill by Appropriations  
**Authorizing the issuance of \$500,000,000 of pension obligation bonds to finance a  
 portion of the unfunded actuarial liability of KPERS.**

02/18/2021 House—Introduced—HJ 254  
 02/18/2021 House—Hearing: Monday, February 22, 2021, 3:30 PM Room 218-N  
 02/19/2021 House—Referred to Committee on Insurance and Pensions—HJ 256  
 02/25/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Insurance and Pensions—HJ 306  
 03/04/2021 House—Committee of the Whole - Be passed as amended—HJ 446  
 03/04/2021 House—Emergency Final Action - Passed as amended; Yea: 117 Nay: 6  
 03/10/2021 Senate—Received and Introduced—SJ 323  
 03/11/2021 Senate—Referred to Committee on Ways and Means—SJ 326  
 03/17/2021 Senate—Hearing: Monday, March 22, 2021, 10:30 AM Room 548-S  
 03/25/2021 Senate—Committee Report recommending bill be passed as amended by  
 Committee on Ways and Means—SJ 433  
 04/07/2021 Senate—Committee of the Whole - Be passed as amended—SJ 584  
 04/08/2021 Senate—Final Action - Passed as amended; Yea: 32 Nay: 8—SJ 618

- 04/08/2021 House—Nonconcurrent with amendments; Conference Committee requested; appointed Representative S. Johnson, Representative Croft and Representative Neighbor as conferees—HJ 776
- 04/08/2021 Senate—Motion to accede adopted; Senator Billinger, Senator Claeys and Senator Hawk appointed as conferees—SJ 663
- 04/09/2021 Senate—Suspend 3(f) - Distribution of CCR copies—SJ 1048
- 04/09/2021 Senate—Suspend 3(f) - 30 minute rule—SJ 1048
- 04/09/2021 Senate—Conference Committee Report was adopted; Yea: 32 Nay: 6—SJ 1090
- 04/09/2021 House—Conference Committee Report was adopted; Yea: 112 Nay: 10—HJ 1243
- 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278
- 05/03/2021 House—Approved by Governor on Wednesday, April 21, 2021—HJ 1266
- H 2406** Bill by Federal and State Affairs  
**Sunday start time for the sale of alcoholic liquor and cereal malt beverage in retail stores changed from 12 noon to 9 a.m.**
- 02/22/2021 House—Introduced—HJ 259
- 02/23/2021 House—Referred to Committee on Federal and State Affairs—HJ 275
- 03/11/2021 House—Hearing: Wednesday, March 17, 2021, 9:00 AM Room 346-S
- 03/18/2021 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 510
- 03/23/2021 House—Committee of the Whole - Be passed as amended—HJ 525
- 03/24/2021 House—Final Action - Passed as amended; Yea: 80 Nay: 42
- 03/24/2021 Senate—Received and Introduced—SJ 397
- 03/25/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 410
- H 2407** Bill by Federal and State Affairs  
**Requiring postsecondary educational institutions to adopt a policy on sexual assault, domestic violence, dating violence and stalking.**
- 02/22/2021 House—Introduced—HJ 259
- 02/23/2021 House—Referred to Committee on Federal and State Affairs—HJ 275
- H 2408** Bill by Federal and State Affairs  
**Authorizing the state historical society to convey certain real property to the Iowa Tribe of Kansas and Nebraska.**
- 02/22/2021 House—Introduced—HJ 259
- 02/23/2021 House—Referred to Committee on Federal and State Affairs—HJ 275
- 03/10/2021 House—Hearing: Wednesday, March 17, 2021, 9:00 AM Room 346-S
- 03/25/2021 House—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—HJ 563
- 03/29/2021 House—Committee of the Whole - Be passed as amended—HJ 611
- 03/30/2021 House—Final Action - Passed as amended; Yea: 124 Nay: 0—HJ 619
- 03/30/2021 Senate—Received and Introduced—SJ 473
- 03/31/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 550
- 03/31/2021 Senate—Hearing: Tuesday, April 6, 2021, 1:00 PM Room 144-S
- 04/06/2021 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 579
- 04/07/2021 Senate—Committee of the Whole - Be passed—SJ 584
- 04/08/2021 Senate—Final Action - Passed; Yea: 32 Nay: 6—SJ 618
- 05/03/2021 House—Enrolled and presented to Governor on Friday, April 16, 2021—HJ 1278
- 05/03/2021 House—Approved by Governor on Wednesday, April 21, 2021—HJ 1266
- H 2409** Bill by Federal and State Affairs

- Providing a permanent exemption for postsecondary educational institutions from the public buildings requirements under the personal and family protection act.**  
 02/22/2021 House—Introduced—HJ 259  
 02/23/2021 House—Referred to Committee on Federal and State Affairs—HJ 275
- H 2410** Bill by Federal and State Affairs  
**Creating the gun violence restraining order act authorizing the issuance of court orders prohibiting the purchase or possession of firearms by a person.**  
 02/22/2021 House—Introduced—HJ 259  
 02/23/2021 House—Referred to Committee on Federal and State Affairs—HJ 275
- H 2411** Bill by Appropriations  
**Authorizing local boards of education to choose which professional employees' organization to recognize as the exclusive bargaining unit for negotiations conducted under the professional negotiations act.**  
 02/22/2021 House—Introduced—HJ 259  
 02/23/2021 House—Referred to Committee on K-12 Education Budget—HJ 275  
 03/15/2021 House—Hearing: Wednesday, March 17, 2021, 3:30 PM Room 546-S
- H 2412** Bill by Appropriations  
**Enacting the Kansas fights addiction act to establish a grant program for the purpose of preventing, reducing, treating and mitigating the effects of substance abuse and addiction.**  
 02/22/2021 House—Introduced—HJ 259  
 02/23/2021 House—Referred to Committee on Judiciary—HJ 275  
 03/18/2021 House—Hearing: Monday, March 22, 2021, 3:30 PM Room 582-N  
 03/26/2021 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 574  
 03/29/2021 House—Committee of the Whole - Be passed as amended—HJ 611  
 03/30/2021 House—Final Action - Passed as amended; Yea: 81 Nay: 43—HJ 620  
 03/30/2021 Senate—Received and Introduced—SJ 473  
 03/31/2021 Senate—Referred to Committee on Judiciary—SJ 550
- H 2413** Bill by Taxation  
**Providing a sales tax exemption for friends of hospice of Jefferson county.**  
 02/22/2021 House—Introduced—HJ 260  
 02/23/2021 House—Referred to Committee on Taxation—HJ 275  
 03/10/2021 House—Hearing: Thursday, March 18, 2021, 3:30 PM Room 346-S
- H 2414** Bill by Taxation  
**Eliminating the reduction of child day care assistance tax credit in subsequent years and limitations on eligible corporations and providing a credit for employer payments to organizations for child day care services access.**  
 02/22/2021 House—Introduced—HJ 260  
 02/23/2021 House—Referred to Committee on Taxation—HJ 275  
 03/17/2021 House—Hearing: Wednesday, March 24, 2021, 3:30 PM Room 346-S  
 03/26/2021 House—Committee Report recommending bill be passed by Committee on Taxation—HJ 575
- H 2415** Bill by Federal and State Affairs  
**Providing the state fire marshal with law enforcement powers and requiring an investigation of deaths resulting from fire.**  
 02/23/2021 House—Introduced—HJ 274  
 02/24/2021 House—Referred to Committee on Federal and State Affairs—HJ 280

- 03/03/2021 House—Hearing: Friday, March 12, 2021, 9:00 AM Room 346-S  
 03/15/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Federal and State Affairs—HJ 469  
 03/18/2021 House—Committee of the Whole - Motion to recommend favorably for passage  
 failed—HJ 508

**H 2416** Bill by Federal and State Affairs

**Modifying the procedure for declaring and extending a state of disaster emergency, limiting powers granted to the governor during a state of disaster emergency, authorizing the legislative coordinating council and the legislature to take certain action related to a state of disaster emergency and prohibiting the governor or the state board of education from closing private schools during a state of disaster emergency.**

- 02/23/2021 House—Introduced—HJ 274  
 02/23/2021 House—Hearing: Wednesday, February 24, 2021, 3:30 PM Room 582-N  
 02/23/2021 House—Hearing continuation: Thursday, February 25, 2021, 3:30 PM Room  
 582-N  
 02/24/2021 House—Referred to Committee on Judiciary—HJ 280  
 03/02/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on Judiciary—HJ 355  
 03/03/2021 House—Committee of the Whole - Be passed as amended—HJ 374  
 03/04/2021 House—Final Action - Passed as amended; Yea: 81 Nay: 40  
 03/10/2021 Senate—Received and Introduced—SJ 323  
 03/10/2021 Senate—Referred to Committee on Judiciary—SJ 324

**H 2417** Bill by Federal and State Affairs

**Allowing clubs and drinking establishments to sell beer and cereal malt beverage for consumption off the licensed premises.**

- 02/23/2021 House—Introduced—HJ 275  
 02/24/2021 House—Referred to Committee on Federal and State Affairs—HJ 280  
 03/15/2021 House—Hearing: Wednesday, March 17, 2021, 9:00 AM Room 346-S  
 03/24/2021 House—Committee Report recommending bill be passed by Committee on  
 Federal and State Affairs—HJ 540  
 03/29/2021 House—Committee of the Whole - Be passed—HJ 609  
 03/30/2021 House—Final Action - Passed; Yea: 106 Nay: 18—HJ 620  
 03/30/2021 Senate—Received and Introduced—SJ 473  
 03/31/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 550

**H 2418** Bill by Taxation

**Establishing an additional quarterly option for time of payment of property taxes for certain persons 65 years of age and older.**

- 02/23/2021 House—Introduced—HJ 275  
 02/24/2021 House—Referred to Committee on Taxation—HJ 280

**H 2419** Bill by Appropriations

**Amendments regarding the licensure and regulation of barbering, including licensure fee amounts.**

- 02/23/2021 House—Introduced—HJ 275  
 02/24/2021 House—Referred to Committee on General Government Budget—HJ 280  
 03/02/2021 House—Hearing: Wednesday, March 10, 2021, 3:30 PM Room 281-N  
 03/16/2021 House—Committee Report recommending bill be passed as amended by  
 Committee on General Government Budget—HJ 488

- H 2420** Bill by Taxation  
**Requiring prior year tax information to be included on the classification and appraised valuation notice.**  
02/24/2021 House—Introduced—HJ 278  
02/25/2021 House—Referred to Committee on Taxation—HJ 293
- H 2421** Bill by Taxation  
**Providing income tax modifications for global intangible low-taxed income, business interest, capital contributions, FDIC premiums, business meals and payment protection program loans and expenses; expanding the expense deduction availability to income tax taxpayers and calculating the deduction amount; allowing an individual to itemize deductions in Kansas despite not itemizing on their federal return; and exempting from income compensation attributable to unemployment insurance ID fraud.**  
02/24/2021 House—Introduced—HJ 279  
02/25/2021 House—Referred to Committee on Taxation—HJ 293  
03/10/2021 House—Hearing: Wednesday, March 17, 2021, 3:30 PM Room 346-S
- H 2422** Bill by Federal and State Affairs  
**Requiring all persons to be 18 years of age to be eligible to give consent for marriage and eliminating exceptions to such requirement.**  
02/25/2021 House—Introduced—HJ 293  
02/26/2021 House—Referred to Committee on Federal and State Affairs—HJ 314  
03/22/2021 House—Hearing: Friday, March 26, 2021, 9:00 AM Room 346-S
- H 2423** Bill by Taxation  
**Authorizing continuation of the 20 mill statewide property tax levy for schools and the exemption of a portion of residential property from such levy.**  
02/25/2021 House—Introduced—HJ 293  
02/26/2021 House—Referred to Committee on Taxation—HJ 314  
03/17/2021 House—Hearing: Wednesday, March 24, 2021, 3:30 PM Room 346-S
- H 2424** Bill by Federal and State Affairs  
**Amending the definition of "race" in the Kansas act against discrimination to include traits historically associated with race, including hair texture and protective hairstyles.**  
02/25/2021 House—Introduced—HJ 313  
02/26/2021 House—Referred to Committee on Federal and State Affairs—HJ 314
- H 2425** Bill by Appropriations  
**Requiring a member of the state board of regents to be a student member nominated by the students' advisory committee.**  
03/01/2021 House—Introduced—HJ 322  
03/02/2021 House—Referred to Committee on Higher Education Budget—HJ 336  
03/24/2021 House—Hearing: Thursday, March 25, 2021, 1:30 PM Room 281-N
- H 2426** Bill by Appropriations  
**Authorizing municipalities to issue bonds and warrants in excess of expected revenue in the case of a declared emergency and raising the maximum bond interest rate.**  
03/01/2021 House—Introduced—HJ 332  
03/02/2021 House—Referred to Committee on Appropriations—HJ 336
- H 2427** Bill by Federal and State Affairs  
**Requiring registration as a sex offender for certain violations of the crime of breach of**

**privacy.**

03/02/2021 House—Introduced—HJ 335

03/03/2021 House—Referred to Committee on Federal and State Affairs—HJ 361

**H 2428** Bill by Taxation

**Increasing rates of tax of cigarettes and tobacco products, establishing the cigarette and tobacco products cessation fund and providing for adjusted sales tax rate for food and food ingredients.**

03/02/2021 House—Introduced—HJ 335

03/03/2021 House—Referred to Committee on Taxation—HJ 361

**H 2429** Bill by Appropriations

**Establishing the city utility low-interest loan program, allowing cities to apply to the state treasurer for loans from state unencumbered funds for extraordinary electric or natural gas costs incurred during the extreme winter weather event of February 2021.**

03/02/2021 House—Introduced—HJ 335

03/02/2021 House—Hearing: Wednesday, March 3, 2021, 8:30 AM Room 218-N

03/03/2021 House—Referred to Committee on Financial Institutions and Rural Development—HJ 361

**H 2430** Bill by Federal and State Affairs

**Creating the Kansas cannabis legalization act to authorize the cultivation, manufacture, sale, possession and use of cannabis and cannabis products.**

03/10/2021 House—Introduced—HJ 458

03/11/2021 House—Referred to Committee on Federal and State Affairs—HJ 464

**H 2431** Bill by Taxation

**Expanding the rural opportunity zone program by changing the definition of rural opportunity zone, expanding eligibility for program participants, adding down payment assistance as a benefit under such program, providing for a two-track program and establishing a new rural community building program option.**

03/11/2021 House—Introduced—HJ 462

03/12/2021 House—Referred to Committee on Financial Institutions and Rural Development—HJ 466

03/12/2021 House—Hearing: Wednesday, March 17, 2021, 9:00 AM Room 218-N

**H 2432** Bill by Taxation

**Adjusting the rate of sales and compensating use tax on food and food ingredients and implementing additional formulaic adjustments to tax rate.**

03/11/2021 House—Introduced—HJ 462

03/12/2021 House—Referred to Committee on Taxation—HJ 466

**H 2433** Bill by Federal and State Affairs

**Protecting consumers and preventing online retail crime by requiring online marketplaces to verify and authenticate the identity of third parties who sell products on their platforms.**

03/11/2021 House—Introduced—HJ 462

03/12/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 466

03/17/2021 House—Hearing: Thursday, March 18, 2021, 1:30 PM Room 346-S

**H 2434** Bill by Federal and State Affairs

**Requiring business entities and public employers to register and use the e-verify**

**program for employment purposes and disallowing certain income tax deductions.**

03/16/2021 House—Introduced—HJ 489

03/17/2021 House—Referred to Committee on Federal and State Affairs—HJ 494

**H 2435** Bill by Appropriations

**Defining emergency responders to include public safety telecommunicators.**

03/16/2021 House—Introduced—HJ 490

03/17/2021 House—Referred to Committee on Appropriations—HJ 494

**H 2436** Bill by Federal and State Affairs

**Enacting the Kansas medical marijuana regulation act and enacting the Kansas innovative solutions for affordable healthcare act to expand medical assistance eligibility.**

03/17/2021 House—Introduced—HJ 493

03/18/2021 House—Referred to Committee on Federal and State Affairs—HJ 503

**H 2437** Bill by Taxation

**Creating a state tax credit for family caregivers of disabled veterans.**

03/17/2021 House—Introduced—HJ 494

03/18/2021 House—Referred to Committee on Taxation—HJ 503

**H 2438** Bill by Taxation

**Allowing disabled veterans to receive a property tax exemption for up to two motor vehicles.**

03/17/2021 House—Introduced—HJ 494

03/18/2021 House—Referred to Committee on Taxation—HJ 503

**H 2439** Bill by Federal and State Affairs

**Creating the crime of unauthorized disclosure of a child's sexual orientation or gender identity.**

03/18/2021 House—Introduced—HJ 503

03/19/2021 House—Referred to Committee on Federal and State Affairs—HJ 513

**H 2440** Bill by Taxation

**Creating a property tax exemption for retired and disabled veterans.**

03/18/2021 House—Introduced—HJ 503

03/19/2021 House—Referred to Committee on Taxation—HJ 513

**H 2441** Bill by Taxation

**Providing for the award of compensation by a governmental entity commandeering or using property under the Kansas emergency management act.**

03/18/2021 House—Introduced—HJ 503

03/19/2021 House—Referred to Committee on Taxation—HJ 513

**H 2442** Bill by Appropriations

**Providing liability protection for businesses, municipalities and educational institutions that participate in high school work-based learning programs and providing that schools are responsible for injuries to students participating in such programs.**

03/18/2021 House—Introduced—HJ 503

03/19/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 513

03/19/2021 House—Hearing: Monday, March 22, 2021, 1:30 PM Room 346-S

**H 2443** Bill by Appropriations

- Providing an employment preference for persons with a disability for state government positions.**  
 03/18/2021 House—Introduced—HJ 511  
 03/19/2021 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 513  
 03/29/2021 House—Committee Report recommending bill be passed as amended by Committee on Commerce, Labor and Economic Development—HJ 602
- H 2444** Bill by Federal and State Affairs  
**Authorizing sports wagering under the Kansas lottery act.**  
 03/18/2021 House—Introduced—HJ 511  
 03/19/2021 House—Referred to Committee on Federal and State Affairs—HJ 513
- H 2445** Bill by Taxation  
**Providing for a property tax exemption for health clubs.**  
 03/19/2021 House—Introduced—HJ 513  
 03/19/2021 House—Hearing: Tuesday, March 23, 2021, 3:30 PM Room 346-S  
 03/22/2021 House—Referred to Committee on Taxation—HJ 515
- H 2446** Bill by Taxation  
**Providing income tax modifications for global intangible low-taxed income, business interest, capital contributions, business meals and payment protection program loans and expenses, expanding the expense deduction availability to income tax taxpayers and calculating the deduction amount, exempting from income compensation attributable to unemployment insurance identity fraud, requiring marketplace facilitators to collect and remit sales, use, transient guest taxes and 911 fees from sales made through their platforms, providing nexus for certain retailers and removing click-through nexus provisions, imposing sales tax on digital property and subscription services, increasing the Kansas standard deduction for income tax purposes and providing a refundable income tax credit for certain purchases of food and discontinuing the nonrefundable food sales tax credit.**  
 03/19/2021 House—Introduced—HJ 513  
 03/22/2021 House—Referred to Committee on Taxation—HJ 515
- H 2447** Bill by Taxation  
**Terminating the transfer of any remaining unencumbered amount in the securities act fee fund over \$50,000 to the state general fund.**  
 03/23/2021 House—Introduced—HJ 519  
 03/23/2021 House—Hearing: Wednesday, March 24, 2021, 3:30 PM Room 582-N  
 03/24/2021 House—Referred to Committee on Judiciary—HJ 533
- H 2448** Bill by Appropriations  
**Permitting the secretary for children and families to license certain family foster homes where a former foster care youth with juvenile adjudications resides.**  
 03/23/2021 House—Introduced—HJ 529  
 03/23/2021 House—Hearing: Wednesday, March 24, 2021, 1:30 PM Room 152-S  
 03/24/2021 House—Referred to Committee on Children and Seniors—HJ 533  
 03/29/2021 House—Committee Report recommending bill be passed by Committee on Children and Seniors—HJ 602  
 03/30/2021 House—Committee of the Whole - Be passed—HJ 633  
 03/30/2021 House—Emergency Final Action - Passed; Yea: 119 Nay: 4  
 04/06/2021 Senate—Received and Introduced—SJ 575

04/07/2021 Senate—Referred to Committee on Public Health and Welfare—SJ 581

- H 2449** Bill by Federal and State Affairs  
**Prohibiting stay-at-home orders and curfews and certain public and private entities from requiring vaccinations, requiring the capitol and legislative meetings be open to the public and protecting the freedom of worship and operation of private businesses.**

03/24/2021 House—Introduced—HJ 532

03/25/2021 House—Referred to Committee on Federal and State Affairs—HJ 549

- H 2450** Bill by Federal and State Affairs  
**Authorizing the Kansas lottery to offer sports wagering with an existing contract provider or to issue a request for proposal for such purpose.**

03/24/2021 House—Introduced—HJ 533

03/25/2021 House—Referred to Committee on Federal and State Affairs—HJ 549

- H 2451** Bill by Taxation  
**Directing that tobacco product manufacturer remittances be credited to the Kansas endowment for youth fund rather than deposited into escrow upon certification by the attorney general.**

03/24/2021 House—Introduced—HJ 547

03/24/2021 House—Hearing: Thursday, March 25, 2021, 3:30 PM Room 582-N

03/25/2021 House—Referred to Committee on Judiciary—HJ 549

- H 2452** Bill by Taxation  
**Sourcing sales of motor vehicles to location of vehicle registration for sales and compensating use tax purposes.**

03/25/2021 House—Introduced—HJ 549

03/26/2021 House—Referred to Committee on Taxation—HJ 572

- H 2453** Bill by Federal and State Affairs  
**Authorizing the sale and delivery of cereal malt beverages and beer containing not more than 6% alcohol by volume to patrons under the Kansas cereal malt beverage act.**

03/29/2021 House—Introduced—HJ 608

03/30/2021 House—Referred to Committee on Federal and State Affairs—HJ 617

- H 2454** Bill by Federal and State Affairs  
**Creating additional violations of criminal discharge of a firearm for discharges that are near a school or projectiles that leave the property from which they are discharged.**

05/05/2021 House—Introduced—HJ 1305

05/06/2021 House—Referred to Committee on Federal and State Affairs—HJ 1386

## TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS

- H 5001** Concurrent Resolution by Representatives Ryckman, Hawkins, Sawyer  
**Adopting joint rules for the House of Representatives and Senate for the 2021-2022 biennium.**  
 01/11/2021 House—Introduced—HJ 54  
 01/12/2021 House—Referred to Committee on Rules and Journal—HJ 67  
 01/15/2021 House—Hearing: Tuesday, January 19, 2021, 12:00 PM Room 582-N  
 01/20/2021 House—Committee Report recommending resolution be adopted as amended by Committee on Rules and Journal—HJ 85  
 01/21/2021 House—Committee of the Whole - Be adopted as amended—HJ 96  
 01/21/2021 House—Emergency Final Action - Adopted as amended; Yea: 117 Nay: 5—HJ 97  
 01/22/2021 Senate—Received and Introduced—SJ 68  
 01/22/2021 Senate—Referred to the Committee of the Whole—SJ 68  
 01/28/2021 Senate—Committee of the Whole - Be adopted—SJ 120  
 01/28/2021 Senate—Emergency Final Action - Adopted; Yea: 38 Nay: 0—SJ 120  
 02/04/2021 House—Enrolled and presented to Secretary of State on Thursday, February 4, 2021—HJ 172
- H 5002** Concurrent Resolution by Representatives Highberger, Clayton  
**Amending the Joint rules of the Senate and House of Representatives for 2021-2022 relating to conference committee reports and floor amendments to bill making appropriations.**  
 01/11/2021 House—Introduced—HJ 60  
 01/12/2021 House—Referred to Committee on Rules and Journal—HJ 67
- H 5003** Concurrent Resolution by Federal and State Affairs  
**Amending the bill of rights of the constitution of the state of Kansas to reserve to the people the right to regulate abortion through their elected state representatives and senators.**  
 01/12/2021 House—Introduced—HJ 66  
 01/12/2021 House—Hearing: Friday, January 15, 2021, 9:00 AM Room 346-S  
 01/13/2021 House—Referred to Committee on Federal and State Affairs—HJ 72  
 01/21/2021 House—Committee Report recommending resolution be adopted by Committee on Federal and State Affairs—HJ 98  
 01/22/2021 House—EFA Subject to Amendment and Debate - Amendment by Representative Probst was rejected. Yea: 40 Nay: 84—HJ 105  
 01/22/2021 House—EFA Subject to Amendment and Debate - Amendment by Representative Carmicheal ruled non-germane.—HJ 105  
 01/22/2021 House—EFA Subject to Amendment and Debate - Amendment by Representative Ballard was rejected. Yea: 38 Nay: 86—HJ 106  
 01/22/2021 House—Emergency Final Action - Adopted; Yea: 86 Nay: 38—HJ 106  
 01/22/2021 Senate—Received and Introduced—SJ 69  
 01/22/2021 Senate—Referred to the Committee of the Whole—SJ 70  
 01/28/2021 Senate—Committee of the Whole - Be adopted—SJ 116  
 01/28/2021 Senate—Emergency Final Action - Adopted by required 2/3 majority; Yea: 28 Nay: 11—SJ 118  
 02/04/2021 House—Enrolled and presented to Secretary of State on Thursday, February 4, 2021—HJ 172
- H 5004** Concurrent Resolution by Elections  
**Proposing to amend Section 11 of Article 1 of the Constitution of the State of Kansas**

**regarding the filing of vacancies in the office of Attorney General and the Secretary of State.**

01/14/2021 House—Introduced—HJ 75

01/15/2021 House—Referred to Committee on Elections—HJ 78

- H 5005** Concurrent Resolution by Representatives Ryckman, Finch, Hawkins, Sawyer, Probst  
**Honoring COVID-19 frontline workers.**  
 01/14/2021 House—Introduced—HJ 76  
 01/28/2021 House—Adopted without roll call—HJ 139  
 01/28/2021 Senate—Received and Introduced—SJ 121  
 01/29/2021 Senate—Referred to Committee of the Whole—SJ 122
- H 5006** Concurrent Resolution by Judiciary  
**A constitutional amendment revising article 3, relating to the judiciary; placing the court of appeals into the constitution; and changing the nomination and appointment process for court of appeals judges to use the existing process for supreme court justices.**  
 01/21/2021 House—Introduced—HJ 88  
 01/22/2021 House—Referred to Committee on Judiciary—HJ 104
- H 5007** Concurrent Resolution by Representatives Fairchild, Collins  
**Constitutional amendment reserving the powers of initiative and referendum to the people.**  
 01/22/2021 House—Introduced—HJ 101  
 01/25/2021 House—Referred to Committee on Elections—HJ 113
- H 5008** Concurrent Resolution by Representatives Francis, Alcalá, Arnberger, Barker, Bergquist, Carlson, Curtis, Ellis, Esau, Eplee, Gartner, Highland, Hoffman, Hoheisel, Jennings, S. Johnson, T. Johnson, Long, Orr, Owens, Patton, Ralph, Samsel, Smith, A., Tarwater, Wasinger, Williams  
**Urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.**  
 02/03/2021 House—Introduced—HJ 168  
 02/04/2021 House—Referred to Committee on Federal and State Affairs—HJ 171  
 02/05/2021 House—Hearing: Thursday, February 11, 2021, 9:00 AM Room 346-S
- H 5009** Concurrent Resolution by Elections  
**Making application to the Congress of the United States to call a convention of the states on election integrity.**  
 02/08/2021 House—Introduced—HJ 177  
 02/09/2021 House—Referred to Committee on Elections—HJ 186
- H 5010** Concurrent Resolution by Representatives Fairchild, Helmer, Murphy  
**Constitutional amendment to add a new article imposing a limitation on state expenditures.**  
 02/09/2021 House—Introduced—HJ 185  
 02/10/2021 House—Referred to Committee on Federal and State Affairs—HJ 191
- H 5011** Concurrent Resolution by Representatives Woodard, Byers, Ruiz, S.  
**Proposing a constitutional amendment to repeal section 16 of article 15 of the constitution of the state of Kansas that requires marriage to be between individuals of the opposite sex.**  
 02/10/2021 House—Introduced—HJ 206  
 02/11/2021 House—Referred to Committee on Federal and State Affairs—HJ 212

- H 5012** Concurrent Resolution by Representative Parker  
**Revising Article 10 of the Kansas Constitution to establish a redistricting commission.**  
 02/10/2021 House—Introduced—HJ 206  
 02/11/2021 House—Referred to Committee on Federal and State Affairs—HJ 212
- H 5013** Concurrent Resolution by Federal and State Affairs  
**Urging congress to propose the "keep nine" amendment to the United States constitution to prohibit expanding the number of justices on the United States supreme court.**  
 02/16/2021 House—Introduced—HJ 232  
 02/17/2021 House—Referred to Committee on Federal and State Affairs—HJ 235  
 02/22/2021 House—Hearing: Friday, February 26, 2021, 9:00 AM Room 346-S  
 03/15/2021 House—Committee Report recommending resolution be adopted by Committee on Federal and State Affairs—HJ 468  
 03/17/2021 House—Committee of the Whole - Be adopted—HJ 498  
 03/18/2021 House—Final Action - Adopted; Yea: 84 Nay: 38—HJ 507  
 03/18/2021 Senate—Received and Introduced—SJ 374  
 03/19/2021 Senate—Referred to Committee on Federal and State Affairs—SJ 382
- H 5014** Concurrent Resolution by Appropriations  
**Proposing a constitutional amendment that provides for legislative oversight of rules and regulations adopted by executive branch agencies and officials.**  
 02/24/2021 House—Introduced—HJ 279  
 02/25/2021 House—Referred to Committee on Judiciary—HJ 293  
 03/18/2021 House—Hearing: Monday, March 22, 2021, 3:30 PM Room 582-N  
 03/25/2021 House—Committee Report recommending resolution be adopted by Committee on Judiciary—HJ 563
- H 5015** Concurrent Resolution by Representative Carpenter, B.  
**Urging the United States Congress to reject the For the People Act of 2021.**  
 03/10/2021 House—Introduced—HJ 459  
 03/11/2021 House—Hearing: Thursday, March 11, 2021, 3:30 PM Room 218-N  
 03/11/2021 House—Referred to Committee on Elections—HJ 464  
 03/18/2021 House—Committee Report recommending resolution be adopted as amended by Committee on Elections—HJ 509  
 03/23/2021 House—Committee of the Whole - Motion to rerefer to committee failed—HJ 525  
 03/23/2021 House—Committee of the Whole - Be adopted as amended—HJ 525  
 03/24/2021 House—Final Action - Adopted as amended; Yea: 84 Nay: 38—HJ 536  
 03/24/2021 Senate—Received and Introduced—SJ 397  
 03/25/2021 Senate—Referred to Committee of the Whole—SJ 410  
 03/29/2021 Senate—Committee of the Whole - Be adopted—SJ 440  
 03/30/2021 Senate—Final Action - Adopted; Yea: 28 Nay: 11—SJ 478  
 04/08/2021 House—Enrolled and presented to Secretary of State on Thursday, April 8, 2021—HJ 811
- H 5016** Concurrent Resolution by Taxation  
**Proposing a constitutional amendment to authorize the legislature to provide for the classification and taxation of all-terrain vehicles.**  
 03/11/2021 House—Introduced—HJ 462  
 03/12/2021 House—Referred to Committee on Taxation—HJ 466
- H 5017** Concurrent Resolution by Federal and State Affairs

**Supporting the adoption of the COVID-19 Vaccine Bill of Rights**

03/16/2021 House—Introduced—HJ 490

03/17/2021 House—Referred to Committee on Judiciary—HJ 494

**H 5018** Concurrent Resolution by Federal and State Affairs**Proposing a constitutional amendment to remove legislative immunity from arrest in going to, or returning from, the place of meeting, or during the continuance of the legislative session and from civil service of process during the legislative session or 15 days prior to the commencement of the legislative session.**

03/23/2021 House—Introduced—HJ 530

03/24/2021 House—Referred to Committee on Federal and State Affairs—HJ 533

**H 5019** Concurrent Resolution by Representatives Ryckman, Hawkins, Sawyer**Providing for the adjournment of the Senate and House of Representatives for a period of time during the 2021 regular session of the Legislature.**

03/30/2021 House—Introduced—HJ 645

03/30/2021 House—Adopted without roll call—HJ 645

03/31/2021 Senate—Received and Introduced—SJ 573

03/31/2021 Senate—Adopted without roll call—SJ 573

04/08/2021 House—Enrolled and presented to Secretary of State on Thursday, April 8, 2021—HJ 811

## TITLE AND HISTORY OF HOUSE RESOLUTIONS

**H 6001** Resolution by Representatives Ryckman, Hawkins, Sawyer**Providing for the organization of the House of Representatives for the 2021 session.**

01/11/2021 House—Introduced

01/11/2021 House—Adopted without roll call—HJ 14

01/21/2021 House—Enrolled on Thursday, January 21, 2021—HJ 99

**H 6002** Resolution by Representatives Ryckman, Hawkins, Sawyer**Assigning seats in the House of Representatives for the 2021 session.**

01/11/2021 House—Introduced

01/11/2021 House—Adopted without roll call—HJ 15

01/21/2021 House—Enrolled on Thursday, January 21, 2021—HJ 99

**H 6003** Resolution by Representatives Ryckman, Hawkins, Sawyer**Proposing the temporary rules of the House of Representatives for the 2021 session.**

01/11/2021 House—Introduced

01/11/2021 House—Adopted without roll call—HJ 16

01/21/2021 House—Enrolled on Thursday, January 21, 2021—HJ 99

**H 6004** Resolution by Representatives Ryckman, Hawkins, Sawyer**Adopting permanent rules of the House of Representatives for the 2021-2022 biennium.**

01/11/2021 House—Introduced—HJ 19

01/12/2021 House—Referred to Committee on Rules and Journal—HJ 67

01/15/2021 House—Hearing: Tuesday, January 19, 2021, 12:00 PM Room 582-N

01/20/2021 House—Committee Report recommending resolution be adopted as amended by Committee on Rules and Journal—HJ 84

01/21/2021 House—Committee of the Whole - Amendment by Representative Rhiley was rejected.—HJ 95

01/21/2021 House—Committee of the Whole - Amendment by Representative Probst was rejected.—HJ 95

01/21/2021 House—Committee of the Whole - Amendment by Representative Ousley was

rejected.—HJ 96

01/21/2021 House—Committee of the Whole - Handwritten motion to amend - Offered by Representative Parker—HJ 95

01/21/2021 House—Committee of the Whole - Handwritten amendment by Representative Parker was rejected. Yea: 46 Nay: 75—HJ 95

01/21/2021 House—Committee of the Whole - Be adopted as amended—HJ 96

01/21/2021 House—Emergency Final Action - Adopted as amended; Yea: 110 Nay: 12—HJ 96

01/29/2021 House—Enrolled on Friday, January 29, 2021—HJ 144

**H 6005** Resolution by Representatives Highberger, Clayton  
**Amending the rules of the House of Representatives for 2021-2022 relating to committee appointments and election of chairpersons.**

01/11/2021 House—Introduced—HJ 47

01/12/2021 House—Referred to Committee on Rules and Journal—HJ 67

05/26/2021 House—Died in Committee

**H 6006** Resolution by Representatives Highberger, Clayton  
**Amending changes to the rules of the House of Representatives for 2021-2022, relating to committee procedure, introduction of bills, content and tracking of certain bills and time of meeting.**

01/11/2021 House—Introduced—HJ 48

01/12/2021 House—Referred to Committee on Rules and Journal—HJ 67

05/26/2021 House—Died in Committee

**H 6007** Resolution by Representatives Rhiley, Garber, Jacobs, Murphy  
**Declaring September 24, 2021 a day of prayer, fasting and humiliation in Kansas.**

01/13/2021 House—Introduced—HJ 73

01/14/2021 House—Referred to Committee on Federal and State Affairs—HJ 77

05/26/2021 House—Died in Committee

**H 6008** Resolution by Representatives Croft, Alcalá, Amyx, Anderson, Arnberger, Awerkamp, Baker, Ballard, Barker, Bergkamp, Bergquist, Bishop, Blex, Borjon, Burris, Burroughs, Carlin, Carlson, Carmichael, Carpenter, B., Carpenter, W., Clark, Clayton, Coleman, Collins, Concannon, Corbet, Curtis, Day, Delperdang, Dodson, Donohoe, Ellis, Eplee, Esau, Estes, Fairchild, Featherston, Finch, Finney, Francis, French, Garber, Gartner, Haswood, Hawkins, Helgerson, Helmer, Henderson, Highberger, Highland, Hoffman, Hoheisel, Houser, Howard, Howe, Hoye, Huebert, Humphries, Jacobs, Jennings, S. Johnson, T. Johnson, Kelly, Kessler, Kuether, Landwehr, Lee, Long, Lynn, Mason, Miller, Minnix, Moser, Murphy, Neely, Neighbor, Newland, Ohaebosim, Orr, Ousley, Owens, Parker, Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ruiz, L., Ruiz, S., Ryckman, Samsel, Sanders, Sawyer, Schreiber, Seiwert, Smith, A., C. Smith, Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Toplikar, Turner, Vaughn, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, Williams, Winn, Wolfe Moore, Woodard, Xu

**Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.**

01/28/2021 House—Introduced—HJ 136

01/28/2021 House—Adopted without roll call—HJ 136

02/02/2021 House—Enrolled on Tuesday, February 2, 2021—HJ 157

- H 6009** Resolution by Appropriations  
**Disapproving executive reorganization order no. 47 that relates to the newly named Kansas department of human services.**  
 02/11/2021 House—Introduced—HJ 212  
 03/25/2021 House—Final Action - Adopted; Yea: 84 Nay: 38—HJ 550  
 03/29/2021 House—Enrolled on Monday, March 29, 2021—HJ 616
- H 6010** Resolution by Representative Carpenter, B.  
**Supporting the United States Army Future Vertical Lift program.**  
 03/01/2021 House—Introduced—HJ 333  
 03/02/2021 House—Adopted without roll call—HJ 336  
 03/15/2021 House—Enrolled on Monday, March 15, 2021—HJ 469
- H 6011** Resolution by Representatives Blex, Amyx, Bergquist, Clark, Delperdang, Dodson, Ellis, Esau, Estes, Francis, Gartner, Hoheisel, Humphries, T. Johnson, Kessler, Mason, Murphy, Neighbor, Newland, Proctor, Resman, Schreiber, Smith, E., Toplikar, Turner, Wheeler  
**Honoring the Kansas Army and Air National Guard.**  
 03/04/2021 House—Introduced—HJ 433  
 03/04/2021 House—Adopted without roll call—HJ 433  
 03/15/2021 House—Enrolled on Monday, March 15, 2021—HJ 469
- H 6012** Resolution by Representatives Ryckman, Hawkins, Sawyer  
**Providing for changes in seat assignments in the house of representatives during the 2021 legislative session.**  
 03/18/2021 House—Introduced—HJ 504  
 03/18/2021 House—Adopted without roll call—HJ 504  
 03/22/2021 House—Enrolled on Monday, March 22, 2021—HJ 518
- H 6013** Resolution by Representatives Curtis, Amyx, Arnberger, Baker, Ballard, Barker, Bergquist, Burroughs, Byers, Carlin, Carpenter, W., Clark, Concannon, Corbet, Croft, Day, Dodson, Eplee, Esau, Estes, Featherston, Finney, Francis, Haswood, Helmer, Henderson, Hoffman, Hoheisel, Howe, Hoye, Humphries, Jennings, S. Johnson, T. Johnson, Kuether, Lee, Long, Moser, Neelly, Neighbor, Orr, Ousley, Parker, Poskin, Probst, Proctor, Ralph, Ruiz, L., Schreiber, Stogsdill, Tarwater, Thomas, Thompson, Vaughn, Victors, Wasinger, Williams, Winn, Wolfe Moore, Xu  
**Recognizing Music in Our Schools Month.**  
 03/18/2021 House—Introduced—HJ 504  
 03/18/2021 House—Adopted without roll call—HJ 504  
 03/22/2021 House—Enrolled on Monday, March 22, 2021—HJ 518
- H 6014** Resolution by Representatives Mason, Anderson, Arnberger, Bergkamp, Bergquist, Blex, Borjon, Burris, Carlin, Carlson, Carpenter, B., Carpenter, W., Clark, Clayton, Coleman, Collins, Concannon, Croft, Curtis, Day, Dodson, Donohoe, Ellis, Eplee, Esau, Estes, Featherston, Finch, Finney, French, Garber, Gartner, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Houser, Howe, Hoye, Huebert, Humphries, Jennings, S. Johnson, T. Johnson, Kessler, Landwehr, Long, Lynn, Minnix, Moser, Murphy, Neelly, Neighbor, Newland, Owens, Patton, Penn, Poetter, Poskin, Probst, Proctor, Proehl, Rahjes, Ralph, Resman, Rhiley, Ryckman, Sanders, Schreiber, Seiwert, Smith, A., Smith, E., Stogsdill, Sutton, Tarwater, Thomas, Thompson, Victors, Waggoner, Wasinger, Waymaster, Weigel, Wheeler, Williams  
**Strengthening the sister-state ties between the State of Kansas and Taiwan.**  
 03/24/2021 House—Introduced—HJ 546

05/04/2021 House—Adopted without roll call—HJ 1281  
 05/06/2021 House—Enrolled on Thursday, May 6, 2021—HJ 1403

- H 6015** Resolution by Representatives Ryckman, Finch, Hawkins  
**Urging the legislative coordinating council to revoke an executive order issued by the governor related to mandating face coverings if such an executive order is issued while the legislature is adjourned.**

03/29/2021 House—Introduced—HJ 608  
 03/30/2021 House—Referred to Committee of the Whole—HJ 617  
 03/30/2021 House—Committee of the Whole - Be adopted—HJ 629  
 03/30/2021 House—Emergency Final Action - Adopted; Yea: 84 Nay: 39—HJ 638  
 04/08/2021 House—Enrolled on Thursday, April 8, 2021—HJ 811

- H 6016** Resolution by Representatives Thomas, Anderson, Arnberger, Blex, Borjon, Burris, Carpenter, B., Clayton, Coleman, Concannon, Croft, Day, Delperdang, Ellis, Eplee, Estes, Featherston, Finch, Francis, French, Garber, Gartner, Haswood, Helmer, Highberger, Highland, Hoheisel, Hoye, Jennings, T. Johnson, Kelly, Long, Mason, Moser, Murphy, Neelly, Neighbor, Newland, Ousley, Owens, Poskin, Proctor, Rahjes, Resman, Ruiz, S., Sanders, Schreiber, Seiwert, Smith, A., Stogsdill, Turner, Waggoner, Wasinger  
**Designating May 3, 2021, as Michael Mosher Day.**

05/03/2021 House—Introduced—HJ 1266  
 05/03/2021 House—Adopted without roll call—HJ 1266  
 05/06/2021 House—Enrolled on Thursday, May 6, 2021—HJ 1403

- H 6017** Resolution by Representatives Ralph, Carlin, Carmichael, Concannon, Curtis, Finney, Francis, Miller, Patton, Probst, Rahjes, Ruiz, S., Sawyer, Schreiber, Tarwater, Toplikar, Victors, Woodard  
**Supporting the full development of the Heartland Flyer Extension.**

05/05/2021 House—Introduced—HJ 1306  
 05/05/2021 House—Adopted without roll call—HJ 1306  
 05/26/2021 House—Enrolled on Tuesday, May 11, 2021

- H 6018** Resolution by Representatives Croft, Anderson, Barker, Bergkamp, Bergquist, Blex, Borjon, Carlson, Carpenter, B., Carpenter, W., Clark, Corbet, Delperdang, Dodson, Ellis, Eplee, Esau, Estes, Fairchild, Finch, Francis, Garber, Hawkins, Helmer, Highland, Hoffman, Hoheisel, Howe, Humphries, Jacobs, S. Johnson, T. Johnson, Kelly, Kessler, Landwehr, Lee, Lynn, Mason, Minnix, Moser, Murphy, Neelly, Newland, Owens, Patton, Penn, Proctor, Proehl, Rahjes, Resman, Rhiley, Ryckman, Samsel, Sanders, Schreiber, Seiwert, C. Smith, Smith, E., Sutton, Tarwater, Thomas, Toplikar, Waggoner, Wasinger, Wheeler, Williams  
**Condemning the recent attacks on the State of Israel.**

05/26/2021 House—Introduced  
 05/26/2021 House—Adopted without roll call Yea: 83 Nay: 27  
 05/26/2021 House—Enrolled on Wednesday, May 26, 2021

## EXECUTIVE REORGANIZATION ORDERS

- ERO 47** Executive Reorganization Order by Governor Kelly  
**Renaming the Kansas department for children and families the Kansas department of human services and abolishing the Kansas department for aging and disability services and transferring the functions to the Kansas department of human services.**
- 1/26/2021 House—Received  
 1/26/2021 House—Introduced—HJ 116  
 1/28/2021 House—Referred to House Committee on Appropriations—HJ 136  
 2/11/2021 House—Committee Report from Committee on appropriations recommending adoption of resolution disapproving ERO 47—HJ 212  
 2/11/2021 House—HR 6009 Introduced by Committee on Appropriations—HJ 212  
 3/25/2021 House—HR 6009 Disapproving ERO 47 adopted by the House, Yea: 84 Nay: 38 —HJ 550
- ERO 48** Executive Reorganization Order by Governor Kelly  
**Transferring the division of tourism and the office of the director of tourism from the Kansas department of wildlife, parks and tourism to the department of commerce; renaming the Kansas department to wildlife, parks and tourism as the Kansas department of wildlife and parks; establishing the position of assistant secretary for operations; and abolishing the position of assistant secretary of wildlife, fisheries, and boating and the position of assistant secretary for parks and tourism.**
- 1/26/2021 House—Received  
 1/26/2021 House—Introduced—HJ 126  
 1/28/2021 House—Referred to House Committee on Commerce, Labor and Economic Development—HJ 136  
 2/15/2021 House—Committee on Commerce, Labor and Economic Development deemed to recommend approval of ERO 48 in accordance with House Rule 4503. No action taken within 15 days of referral to committee.  
 3/26/2021 House—Time for action expired. ERO becomes effective July 1, 2021.

## HISTORY OF HOUSE PETITIONS

No petitions filed during 2021 Session.

**FINAL**  
**HOUSE CALENDAR**  
**No. 66**

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**JANUARY 11 THROUGH MAY 26, 2021**

**NUMERICAL SCHEDULE OF HOUSE BILLS**  
**2021 SESSION**

2001 Sen General Orders	2035 Local Government	2066 Signed, Eff Dt 7/1/21
2002 Elections	2036 Elections	2067 General Orders
2003 Taxation	2037 Education	2068 General Orders
2004 Children & Seniors	2038 Education	2069 Fin Inst & Rural Dev
2005 Sen Fed & St Affairs	2039 Veto sustained	2070 Signed, Eff Dt 7/1/21
2006 Fed & State Affairs	2040 Comm, Lbr & Eco Dev	2071 Signed, Eff Dt 5/3/21
2007 Line item vetoes sustained	2041 Comm, Lbr & Eco Dev	S Sub
2008 Signed, Eff Dt 7/1/21	2042 Insurance & Pensions	2072 Signed, Eff Dt 4/22/21
2009 Corr & Juv Justice	2043 Appropriations	2073 Insurance & Pensions
2010 Corr & Juv Justice	2044 Insurance & Pensions	S Sub
2011 Stricken, Rule 1507	2045 Sen Commerce	2074 Signed, Eff Dt 7/1/21
2012 Elections	2046 Appropriations	2075 Sen Judiciary
2013 Judiciary	2047 Fed & State Affairs	2076 Sen Judiciary
2014 Signed, Eff Dt 7/1/21	2048 General Orders	2077 Signed, Eff Dt 5/26/21
2015 Transportation	Sub	2078 Signed, Eff Dt 3/31/21
2016 Comm, Lbr & Eco Dev	2049 Signed, Eff Dt 7/1/21	2079 Signed, Eff Dt 5/26/21
2017 Comm, Lbr & Eco Dev	2050 Signed, Eff Dt 7/1/21	2080 Judiciary
2018 Comm, Lbr & Eco Dev	2051 Stricken, Rule 1507	2081 Sen Judiciary
2019 Transportation	2052 Sen Transpar & Ethics	2082 Sen General Orders
2020 Stricken, Rule 1507	2053 Stricken, Rule 1507	2083 Stricken, Rule 1507
2021 Signed, Eff Dt 7/1/21	2054 Elections	2084 Corr & Juv Justice
2022 Signed, Eff Dt 7/1/21	2055 Elections	2085 Signed, Eff Dt 7/1/21
2023 Taxation	2056 Sen Fed & St Affairs	2086 Education
2024 Judiciary	2057 Sen Fed & St Affairs	2087 Sen General Orders
2025 General Orders	2058 Veto overridden, Eff Dt 7/1/21	2088 Sen Pub Hlth & Wel Sub
2026 Signed, Eff Dt 7/1/21	2059 Fed & State Affairs	2089 Veto sustained
2027 Stricken, Rule 1507	2060 Fed & State Affairs	2090 Sen General Orders
2028 Stricken, Rule 1507	2061 Fed & State Affairs	2091 Taxation
2029 Sen Judiciary	S Sub	2092 Corr & Juv Justice
2030 Sen Judiciary	2062 Sen General Orders	2093 Sen General Orders
2031 Corr & Juv Justice	2063 Signed, Eff Dt 7/1/21	Sub
2032 Agriculture	2064 Signed, Eff Dt 7/1/21	2094 Sen General Orders
2033 Comm, Lbr & Eco Dev	2065 Fed & State Affairs	2095 Judiciary
2034 Local Government	Sub	2096 Sen General Orders

2097 Sen Commerce	2141 Taxation	2185 Taxation
2098 Stricken, Rule 1507	2142 Taxation	2186 Taxation
2099 Judiciary, Tax Jointly	2143 Signed, Eff Dt 5/6/21	2187 Signed, Eff Dt 7/1/21
2100 Transportation. & Local Gov, Jointly	2144 Stricken, Rule 1507	2188 Appropriations
2101 Signed, Eff Dt 7/1/21	2145 Signed, Eff Dt 7/1/21	2189 Fin Inst & Rural Dev
S Sub	2146 Stricken, Rule 1507	2190 Corr & Juv Justice
2102 Signed, Eff Dt 7/1/21	2147 Corr & Juv Justice	2191 Sen Judiciary
2103 Sen Ag & Nat Res	2148 Taxation	2192 Sen Judiciary
S Sub	2149 Stricken, Rule 1507	2193 Stricken, Rule 1507
2104 Signed, Eff Dt 7/1/21	2150 Sen Public Hlth & Wel	2194 Transportation
2105 General Orders	2151 Sen General Orders	2195 Appropriations
2106 Conference Comm	2152 Stricken, Rule 1507	S Sub for Sub
2107 Stricken, Rule 1507	S Sub	2196 Signed, Eff Dt 5/13/21
2108 Fed & State Affairs	2153 Concur/Nonconcur	2197 Taxation
2109 Sen Judiciary	2154 Judiciary	2198 Insurance & Pensions
2110 Insurance & Pensions	2155 Signed, Eff Dt 7/1/21	2199 Fed & State Affairs
2111 Insurance & Pensions	2156 Agriculture	2200 Corr & Juv Justice
2112 Signed, Eff Dt 7/1/21	2157 Health & Human Svcs	S Sub
2113 Fed & State Affairs	2158 Signed, Eff Dt 5/26/21	2201 Signed, Eff Dt 7/1/21
2114 Signed, Eff Dt 7/1/21	2159 Health & Human Svcs	2202 Health & Human Svcs
2115 Sen General Orders	2160 Health & Human Svcs	2203 Signed, Eff Dt 7/1/21
2116 Sen General Orders	2161 Health & Human Svcs	2204 Agriculture
2117 Taxation	2162 Signed, Eff Dt 7/1/21	2205 Local Gov
2118 Stricken, Rule 1507	2163 Stricken, Rule 1507	2206 Appropriations
Sub	2164 Stricken, Rule 1507	2207 Health & Human Svcs
2119 Sen Education	2165 Signed, Eff Dt 7/1/21	S Sub
2120 Sen Judiciary	Sub	2208 Signed, Eff Dt 5/6/21
2121 Signed, Eff Dt 7/1/21	2166 Veto overridden, Eff Dt 7/1/21	2209 Sen Fed & State Affs
2122 General Orders	2167 Signed, Eff Dt 7/1/21	2210 Health & Human Svcs
2123 Taxation	2168 Transportation	2211 Corr & Juv Justice
2124 Signed, Eff Dt 7/1/21	2169 Transportation	2212 Sen Fed & St Affairs
2125 Sen Judiciary	2170 Comm, Lbr & Eco Dev	2213 Stricken, Rule 1507
2126 Signed, Eff Dt 4/22/21	2171 Comm, Lbr & Eco Dev	2214 Signed, Eff Dt 7/1/21
2127 Stricken, Rule 1507	2172 Signed, Eff Dt 7/1/21	2215 Corr & Juv Justice
2128 Sen Judiciary	2173 Taxation	2216 Transportation
2129 Insurance & Pensions	2174 Health & Human Svcs	2217 Transportation
2130 Taxation	2175 Sen General Orders	2218 Signed, Eff Dt 7/1/21
2131 K-12 Ed Budget	2176 Sen Local Gov	2219 Sen Commerce
2132 Transportation	2177 Local Gov	2220 Comm, Lbr & Eco Dev
2133 Corr & Juv Justice	2178 Signed, Eff Dt 7/1/21	2221 Comm, Lbr & Eco Dev
2134 Signed, Eff Dt 5/26/21	2179 Health & Human Svcs	2222 Fed & State Affairs
2135 Insurance & Pensions	2180 Energy, Util & Telcomm	2223 Corr & Juv Justice
2136 Concur/Nonconcur	2181 Energy, Util & Telcomm	2224 Signed, Eff Dt 7/1/21
2137 Signed, Eff Dt 5/26/21	2182 Comm, Lbr & Eco Dev	2225 Taxation
S Sub	S Sub	2226 Judiciary
2138 Conference Comm	2183 Veto overridden, Eff Dt 7/1/21	2227 Signed, Eff Dt 3/30/21
2139 Corr & Juv Justice	2184 Fed & State Affairs	2228 Sen Judiciary
2140 Fed & State Affairs		2229 Stricken, Rule 1507
		2230 Taxation

2231 Sen Judiciary	2277 Sen Judiciary	2324 Insurance & Pensions
2232 Local Gov	2278 Elections	2325 Insurance & Pensions
2233 Local Gov	2279 Sen General Orders	2326 Elections
2234 Sen General Orders	2280 Sen General Orders	2327 Health & Human Svcs
2235 Elections	2281 Appropriations	2328 General Orders
2236 Sen Fin Inst & Ins	2282 Fin Inst & Rural Dev	2329 Sen Utilities
2237 Sen General Orders	2283 Children & Seniors	2330 Energy, Util & Telcomm
2238 Signed, Eff Dt 7/1/21	2284 Agriculture	2331 Comm, Lbr & Eco Dev
S Sub	2285 Judiciary	2332 Veto overridden, Eff Dt 7/1/21
2239 Sen General Orders	2286 Appropriations	2333 Elections
2240 K-12 Ed Budget	S Sub	2334 Elections
2241 Insurance & Pensions	2287 Sen General Orders	2335 Agriculture
2242 Insurance & Pensions	2288 Corr & Juv Justice	2336 Stricken, Rule 1507
2243 Signed, Eff Dt 7/1/21	2289 Insurance & Pensions	2337 Transportation
2244 Signed, Eff Dt 5/3/21	2290 Energy, Util & Telcom	2338 Children & Seniors
2245 Signed, Eff Dt 7/1/21	2291 Energy, Util & Telcom	2339 Sen Fed & St Affairs
2246 Transportation	2292 Sen Transp & Ethics	2340 General Orders
2247 Signed, Eff Dt 7/1/21	2293 Comm, Lbr & Eco Dev	2341 Transportation
2248 Sen General Orders	2294 Transportation	2342 Health & Human Svcs
2249 Social Services Bdgt	2295 Signed, Eff Dt 7/1/21	2343 Insurance & Pensions
2250 General Orders	2296 Stricken, Rule 1507	2344 Elections
2251 Fed & State Affairs	2297 Sen Transp & Ethics	2345 Stricken, Rule 1507
S Sub	2298 Signed, Eff Dt 7/1/21	2346 Judiciary
2252 Conference Comm	2299 Judiciary	2347 Corr & Juv Justice
2253 Appropriations	2300 Corr & Juv Justice	2348 Insurance & Pensions
2254 Signed, Eff Dt 7/1/21	2301 General Orders	2349 Stricken, Rule 1507
2255 Health & Human Svcs	2302 Stricken, Rule 1507	2350 Corr & Juv Justice
2256 Health & Human Svcs	2303 Taxation	2351 Comm, Lbr & Eco Dev
2257 Health & Human Svcs	2304 Taxation	2352 Taxation
2258 Health & Human Svcs	2305 Comm, Lbr & Eco Dev	2353 General Orders
2259 Sen Pub Hlth & Wel	2306 Comm, Lbr & Eco Dev	2354 Comm, Lbr & Eco Dev
2260 Health & Human Svcs	2307 Comm, Lbr & Eco Dev	2355 Stricken, Rule 1507
2261 Stricken, Rule 1507	2308 Judiciary	2356 Judiciary
S Sub	2309 Agriculture	2357 Taxation
2262 Sen General Orders	2310 Agriculture	2358 Taxation
2263 Stricken, Rule 1507	2311 Comm, Lbr & Eco Dev	2359 K-12 Ed Budget
2264 Sen General Orders	2312 Comm, Lbr & Eco Dev	2360 Stricken, Rule 1507
2265 Taxation	S Sub	2361 Sen Judiciary
2266 Taxation	2313 Signed, Eff Dt 7/1/21	2362 Sen Judiciary
2267 Fed & State Affairs	2314 Taxation	2363 Sen General Orders
2268 Fin Inst & Rural Dev	2315 Sen Assessment & Tax	2364 Judiciary
2269 K-12 Ed Budget	2316 Sen Assessment & Tax	2365 Stricken, Rule 1507
2270 Signed, Eff Dt 7/1/21	2317 Taxation	2366 Sen Judiciary
2271 Children & Seniors	2318 Corr & Juv Justice	2367 Signed, Eff Dt 7/1/21
2272 General Orders	2319 Elections	2368 Insurance & Pensions
2273 Taxation	2320 Fin Inst & Rural Dev	2369 Stricken, Rule 1507
2274 Corr & Juv Justice	2321 Signed, Eff Dt 7/1/21	2370 Comm, Lbr & Eco Dev
2275 Sen Judiciary	2322 Judiciary	2371 Stricken, Rule 1507
2276 Corr & Juv Justice	2323 Fed & State Affairs	

2372 Health & Human Svcs	2399 General Orders	2427 Fed & State Affairs
2373 General Orders	2400 Health & Human Svcs	2428 Taxation
2374 Sen Judiciary	2401 Signed, Eff Dt 7/1/21	2429 Fin Inst & Rural Dev
2375 Judiciary	2402 Appropriations	2430 Fed & State Affairs
2376 Judiciary	2403 Fed & State Affairs	2431 Fin Inst & Rural Dev
2377 Sen General Orders	2404 Appropriations	2432 Taxation
2378 Insurance & Pensions	2405 Signed, Eff Dt 4/29/21	2433 Comm, Lbr & Eco Dev
2379 Signed, Eff Dt 7/1/21	2406 Sen Fed & State Affs	2434 Fed & State Affairs
2380 Sen Fin Inst & Ins	2407 Fed & State Affairs	2435 Appropriations
2381 Stricken, Rule 1507	2408 Signed, Eff Dt 7/1/21	2436 Fed & State Affairs
2382 Social Svcs Budget	2409 Fed & State Affairs	2437 Taxation
2383 Insurance & Pensions	2410 Fed & State Affairs	2438 Taxation
2384 Health & Human Svcs	2411 K-12 Ed Budget	2439 Fed & State Affairs
2385 Health & Human Svcs	2412 Sen Judiciary	2440 Taxation
2386 Health & Human Svcs	2413 Taxation	2441 Taxation
2387 Sen Judiciary	2414 General Orders	2442 Comm, Lbr & Eco Dev
2388 Insurance & Pensions	2415 General Orders	2443 General Orders
2389 General Orders	2416 Sen Judiciary	2444 Fed & State Affairs
2390 Signed, Eff Dt 7/1/21	2417 Sen Fed & State Affs	2445 Taxation
2391 Signed, Eff Dt 7/1/21	2418 Taxation	2446 Taxation
2392 Agriculture	2419 General Orders	2447 Judiciary
2393 Comm, Lbr & Eco Dev	2420 Taxation	2448 Sen Public Hlth & Wel
2394 Taxation	2421 Taxation	2449 Fed & State Affairs
2395 Taxation	2422 Fed & State Affairs	2450 Fed & State Affairs
2396 Appropriations	2423 Taxation	2451 Judiciary
S Sub for Sub	2424 Fed & State Affairs	2452 Taxation
2397 Signed, Eff Dt 7/1/21	2425 Higher Ed Budget	2453 Fed & State Affairs
2398 Fin Inst & Rural Dev	2426 Appropriations	2454 Fed & State Affairs

### NUMERICAL SCHEDULE OF HOUSE RESOLUTIONS 2021 SESSION

5001 Adopted, Enrolled	5008 Fed & State Affairs	5015 Adopted, Enrolled
5002 Rules & Journal	5009 Elections	5016 Taxation
5003 Adopted, Enrolled	5010 Fed & State Affairs	5017 Judiciary
5004 Elections	5011 Fed & State Affairs	5018 Fed & State Affairs
5005 General Orders	5012 Fed & State Affairs	5019 Adopted, Enrolled
5006 Judiciary	5013 S Fed & State Affairs	
5007 Elections	5014 Judiciary	

### NUMERICAL SCHEDULE OF HOUSE RESOLUTIONS 2021 SESSION

6001 Adopted, Enrolled	6007 Died, Comm	6013 Adopted, Enrolled
6002 Adopted, Enrolled	6008 Adopted, Enrolled	6014 Adopted, Enrolled
6003 Adopted, Enrolled	6009 Adopted, Enrolled	6015 Adopted, Enrolled
6004 Adopted, Enrolled	6010 Adopted, Enrolled	6016 Adopted, Enrolled
6005 Died, Comm	6011 Adopted, Enrolled	6017 Adopted, Enrolled
6006 Died, Comm	6012 Adopted, Enrolled	6018 Adopted, Enrolled

**NUMERICAL SCHEDULE OF SENATE BILLS**  
**2021 SESSION**

1 Appropriations	64 Passed	120 Stricken, Rule 1507
2 Comm, Lbr & Eco Dev	65 P Amend, Sen Concur	122 CCR Adopted
4 Stricken, Rule 1507	66 P Amend, Sen Concur	H Sub
13 P Amend, Sen Concur	67 CCR Adopted	124 P Amend, Sen Concur
14 Passed	68 Transportation	126 General Orders
15 Passed	H Sub	127 CCR Adopted
16 Passed	69 Stricken, Rule 1507	131 Transportation
19 Transportation	70 Taxation	142 CCR Adopted
20 Transportation	71 General Orders	143 CCR Adopted
21 P Amend, Sen Concur	72 Taxation	145 Appropriations
22 Taxation	77 P Amend, Sen Concur	147 General Orders
23 Taxation	H Sub	H Sub
24 P Amend, Sen Concur	78 CCR Adopted	158 P Am, Mat Chgd
H Sub	83 Children & Seniors	159 Adopted CCR
26 CCR Adopted	H Sub for Sub	160 Conference Comm
27 Passed	84 General Orders	H Sub
28 Insurance & Pensions	85 Children & Seniors	167 Stricken, Rule 1507
29 CCR Adopted	86 CCR Adopted	170 CCR Adopted
32 Appropriations	H Sub	172 P Amend, Sen Concur
33 Passed	88 P Amend, Sen Concur	175 CCR Adopted
36 CCR Adopted	89 P Amend, Sen Concur	178 P Amend, Sen Concur
37 Passed	90 P Amend, Sen Concur	181 Fed & State Affairs
38 CCR Adopted	H Sub	185 Appropriations
39 P Amend, Sen Concur	91 Conference Comm	199 Insurance & Pensions
40 CCR Adopted	95 CCR Adopted	204 Stricken, Rule 1507
47 CCR Adopted	H Sub	208 Education
H Sub	98 General Orders	235 Killed
49 General Orders	H Sub	Sub
50 Veto overridden	99 P Amend, Sen Concur	238 CCR Adopted
51 Appropriations	Sub	261 Agriculture
52 Passed	100 Transportation	265 Insurance & Pensions
53 General Orders	101 Transportation	Sub
55 CCR Adopted	102 Judiciary	267 Appropriations
56 Stricken, Rule 1507	103 CCR Adopted	H Sub for Sub
58 Conference Comm	104 Judiciary	273 CCR Adopted
60 CCR Adopted	106 CCR Adopted	283 P Amend, Sen Concur
61 K-12 Ed Budget	107 CCR Adopted	Sub
62 Appropriations	116 Transportation	286 Judiciary
H Sub	118 Passed	290 Insurance & Pensions
63 P Amend, Sen Concur	119 General Orders	304 Judiciary

**NUMERICAL SCHEDULE OF SENATE CONCURRENT RESOLUTIONS**  
**2021 SESSION**

1601 Adopted  
1616 Adopted

1610 Adopted

1613 Adopted

## LEGEND

Bdgt	Budget
CCR	Conference Committee Report
Conf Comm	Conference Committee
Con	Concur
Eff Dt	Effective Date
H	House
Mat Chgd	Ruled materially changed
P Amend	Passed as amended
Sub	Substitute
Sen	Senate
Sen Ag & Nat Res	Senate Agriculture & Natural Resources
Comm, Lbr & Eco Dev	Commerce, Labor and Economic Development
Corr & Juv Justice	Corrections & Juvenile Justice
Energy, Util & Telcom	Energy, Utilities & Telecommunications
Fed & State Affairs	Federal and State Affairs
Sen Fed & State Affs.	Senate Federal and State Affairs
Sen Fin Inst & Ins	Senate Financial Institutions & Insurance
Fin Inst & Rural Dev	Financial Institutions & Rural Development
Health & Human Svcs	Health and Human Services
K-12 Ed Budget	K-12 Education Budget
Sen Pub Hlth & Wel	Senate Public Health & Welfare
Social Svcs Budget	Social Services Budget
Sen Transpar & Ethics	Senate Transparency & Ethics

## SUMMARY OF ACTIONS ON HOUSE BILLS, CONCURRENT RESOLUTIONS AND RESOLUTIONS - 2021

### HOUSE BILLS

House bills introduced in the 2021 session.....	454
House bills passed both houses and presented to Governor. ....	72
House bills signed by Governor.....	65
House bills with line item vetoes (HB 2007).....	1
House bills becoming law without Governor's signature..	0
House bills vetoed by Governor.....	6
House bills killed in House.....	33
House bills killed in Senate.....	0
TOTAL.....	105
House bills in House Committees.....	254
House bills in Senate Committees.....	48
House bills in conference committees.....	3
House bills on House Calendar.....	21
House bills on Senate Calendar.....	23
House bills carried over to 2022 session.....	349
TOTAL.....	454

### HOUSE CONCURRENT RESOLUTIONS

House concurrent resolutions introduced in 2021 session.....	19
House concurrent resolutions adopted by both houses.....	4
House concurrent resolutions killed in House.....	0
House concurrent resolutions killed in Senate.....	0
House concurrent resolutions in House Committees.....	12
House concurrent resolutions on House Calendar.....	1
House concurrent resolutions in Senate Committees.....	1
House concurrent resolutions on Senate Calendar.....	1
House concurrent resolutions carried over to 2022 Session. ....	15
TOTAL.....	19

### HOUSE RESOLUTIONS

House resolutions introduced in 2019 session.....	18
House resolutions adopted.....	15
House resolutions killed.....	0
House resolutions dying in committee.....	3
House resolutions dying on Calendar.....	0
TOTAL.....	18

**APPOINTMENTS, GUESTS, AND COMMUNICATIONS  
FROM STATE OFFICERS  
IN THE 2021 HOUSE JOURNAL**

**APPOINTMENTS**

Of Susan Kannarr, chief clerk, p. 8  
Of Foster Chisholm, sergeant-at-arms, p. 8  
Of Rev. Eunice Brubaker, chaplain, p. 8  
Committee assignments, pp. 67-70.  
Select Investigative Committee, p. 77

**RULES**

**HR 6004**, introduced pp. 19-47; adopted 96-97.

**COMMUNICATIONS FROM STATE OFFICERS**

Dear Mr. Speaker: This letter is to advise you that the Office of Chief Clerk has received the following communications during the interim since adjournment of the 2020 Regular Session of the Legislature: pp. 12-14.

From the Board of Indigents' Defense Services, the Annual Report for Fiscal Year 2019.  
From James R. Hubbard, Attorney, in accordance with K.S.A. 19-5005(e) the Johnson County Educational Research Triangle Authority Annual Report.

From Chairperson Marc Bennett, in accordance with KSA 2019 Supp. 21-6902, the Report of the Kansas Criminal Justice Reform Commission to the 2021 Kansas Legislature.

From Rachel Beech, Education Program Consultant, Special Education and Title Services, Information Relating to School Safety and Security.

From Scott W. Miller, Director of Investments, in compliance with K.S.A. 75-4422(h), the Annual Report of the Pooled Money Investment Board for Fiscal Year 2020.

From Jake LaTurner, State Treasurer, the 2020 Annual Report for the Kansas State Treasurer's Office.

From the Office of Governor Laura Kelly:

Executive Directive No. 20-517, Authorizing Expenditure of Federal Funds.

Executive Directive No. 20-518, Authorizing Personnel Transactions.

Executive Directive No. 20-519, Authorizing Expenditure of Federal Funds.

Executive Directive No. 20-520, Authorizing Personnel Transactions and Authorizing Expenditure of Federal Funds.

Executive Directive No. 20-521, Authorizing Expenditure of Federal Funds.

Executive Directive No. 20-522, Authorizing Expenditure of Federal Funds.

Executive Directive No. 20-523, Authorizing Expenditure of Federal Funds.

Executive Directive No. 20-524, Authorizing Expenditure of Federal Funds.

Executive Directive No. 20-525, Authorizing Personnel Transactions.

Executive Directive No. 20-526, Authorizing Expenditure of Federal Funds.

Executive Directive No. 20-527, Authorizing Expenditure of Federal Funds.

Executive Directive No. 20-528, Authorizing Personnel Transactions and Authorizing Expenditure of Federal Funds.

Executive Order No. 20-35, Temporarily expanding telemedicine and addressing certain licensing requirements to facilitate economic recovery and prevent future outbreaks of

## COVID-19.

Executive Order No. 20-36, Drivers' license and vehicle registration and regulation during state of disaster emergency.

Executive Order No. 20-37, Allowing certain deferred tax deadlines and payments during the state of disaster emergency.

Executive Order No. 20-38, Temporary relief from certain unemployment insurance requirements during state of disaster emergency.

Executive Order No. 20-39, Extending professional and occupational licenses during state of disaster emergency.

Executive Order No. 20-40, Temporarily allowing notaries and witnesses to act via audio-video communication technology during state of disaster emergency.

Executive Order No. 20-41, Licensure, Certification, and Registration for persons and Licensure of "Adult Care Homes" during state of disaster emergency.

Executive Order No. 20-42, Temporarily suspending certain rules relating to sale of alcoholic beverages during state of disaster emergency.

Executive Order No. 20-43, Temporary relief from certain restrictions concerning shared work programs during state of disaster emergency.

Executive Order No. 20-44, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-45, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-46, Temporary relief from certain age restrictions concerning online driver's license renewal.

Executive Order No. 20-47, Establishing the Court of Appeals Nominating Commission.

Executive Order No. 20-48, Establishing the Governor's Commission on Racial Equity and Justice.

Executive Order No. 20-49, Extending certain Executive Orders relating to the COVID-19 pandemic.

Executive Order No. 20-50, Temporary relief from certain unemployment insurance requirements during state of disaster emergency.

Executive Order No. 20-51, Extending the Kansas Complete Count Committee.

Executive Order No. 20-52, Requiring masks or other face coverings in public.

Executive Order No. 20-53, Establishing an annual report card for students in foster care.

Executive Order No. 20-54, Drought Declaration.

Executive Order No. 20-55, Amended provisions related to drivers' license and vehicle registration and regulation during state of disaster emergency.

Executive Order No. 20-56, Amended Licensure, Certification, and Registration for persons and Licensure of "Adult Care Homes" during state of disaster emergency.

Executive Order No. 20-57, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-59, Requiring COVID-19 mitigation procedures in K-12 schools.

Executive Order No. 20-60, Extending temporary relief from certain age restrictions concerning online driver's license renewal.

Executive Order No. 20-61, Temporarily prohibiting certain foreclosures and evictions.

Executive Order No. 20-62, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-64, Extending certain Executive Orders relating to the COVID-19 pandemic.

Executive Order No. 20-65, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-66, Amended provisions related to drivers' license and vehicle registration and regulation during state of disaster emergency.

Executive Order No. 20-67, Establishing the Office of Broadband Development.

Executive Order No. 20-68, Establishing a face coverings protocol.

Executive Order No. 20-69, Requiring COVID-19 testing in certain adult care homes.

Executive Order No. 20-70, Provisions related to drivers' license and identification cards during the state of disaster emergency.

Executive Order No. 20-71, Temporary relief from certain unemployment insurance requirements during state of disaster emergency.

Executive Order No. 20-72, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-73, Extending the Governor's Council on Tax Reform,

From Derek Schmidt, Kansas Attorney General, pursuant to K.S.A. 22a-243, the 2020 annual report of the Kansas State Death Review Board, p. 77.

From Elaine Frisbie, Kansas Board of Regents, in accordance with KSA 74-32,418; the Kansas Training Information Program report (K-TIP), p. 79.

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- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.

**Hawkins, Daniel**

- HB 2071 Increasing the criminal penalties for stalking a minor.
- HCR 5001 Adopting joint rules for the House of Representatives and Senate for the 2021-2022 biennium.
- HCR 5005 Honoring COVID-19 frontline workers.
- HCR 5019 Providing for the adjournment of the Senate and House of Representatives for a period of time during the 2021 regular session of the Legislature.
- HR 6001 Providing for the organization of the House of Representatives for the 2021 session.
- HR 6002 Assigning seats in the House of Representatives for the 2021 session.
- HR 6003 Proposing the temporary rules of the House of Representatives for the 2021 session.
- HR 6004 Adopting permanent rules of the House of Representatives for the 2021-2022 biennium.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6012 Providing for changes in seat assignments in the house of representatives during the 2021 legislative session.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6015 Urging the legislative coordinating council to revoke an executive order issued by the governor related to mandating face coverings if such an executive order is issued while the legislature is adjourned.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Helgerson, Henry**

- HB 2140 Prohibiting the carrying of a concealed handgun in the state capitol.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

**Helmer, Cheryl**

- HB 2071 Increasing the criminal penalties for stalking a minor.
- HB 2210 Making it a crime for a doctor to perform gender reassignment surgery or hormone replacement therapy on minors.
- HB 2328 Providing income tax credits for aerospace and aviation program graduates and their employers.
- HB 2345 Establishing the office of the child advocate for children's protection and services.
- HCR 5010 Constitutional amendment to add a new article imposing a limitation on state expenditures.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.
- HR 6018 Condemning the recent attacks on the State of Israel.

### **Henderson, Broderick**

- HB 2305 Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.
- HB 2306 Restoring local control over certain compensation, wage and benefit requirements for construction projects.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.

### **Highberger, Dennis "Boog"**

- HB 2002 Enacting the national popular vote interstate compact for electing the president of the United States.
- HB 2006 Changing the designation of Columbus Day to Indigenous Peoples Day.
- HB 2117 Providing for adjusted income tax rates and sales tax treatment for food and food ingredients and feminine hygiene products.
- HB 2140 Prohibiting the carrying of a concealed handgun in the state capitol.
- HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.
- HCR 5002 Amending the Joint rules of the Senate and House of Representatives for 2021-2022 relating to conference committee reports and floor amendments to bill making appropriations.
- HR 6005 Amending the rules of the House of Representatives for 2021-2022 relating to committee appointments and election of chairpersons.
- HR 6006 Amending changes to the rules of the House of Representatives for 2021-2022, relating to committee procedure, introduction of bills, content and tracking of certain bills and time of meeting.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.

### **Highland, Ron**

- HB 2004 Creating the right to appeal an involuntary discharge or transfer from an adult residential care facility.
- HB 2005 Excluding hot water supply boilers that have a nominal water capacity not exceeding 120 gallons from the provisions of the boiler safety act.

- HB 2023 Changing to an eight-year simple average when determining values of agricultural land for purposes of property taxation.
- HB 2042 Enacting the Kansas thrift savings plan act.
- HB 2043 Ending legislator participation in KPERS and establishing an annual salary structure for legislators.
- HB 2044 Increasing KPERS employee contribution rate for school district employees and making appropriations for FY 2022 for the department of education for a pay increase for KPERS covered school district employees.
- HB 2331 Providing for the limited transfer of landowner or tenant deer hunting permits to nonresidents.
- HCR 5008 Urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Hoffman, Kyle**

- HB 2331 Providing for the limited transfer of landowner or tenant deer hunting permits to nonresidents.
- HCR 5008 Urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Hoheisel, Nick**

- HB 2071 Increasing the criminal penalties for stalking a minor.
- HB 2265 Providing a sales tax exemption for required textbooks and authorizing a local sales tax on required textbooks.
- HB 2328 Providing income tax credits for aerospace and aviation program graduates and their employers.
- HB 2345 Establishing the office of the child advocate for children's protection and services.
- HCR 5008 Urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6011 Honoring the Kansas Army and Air National Guard.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Houser, Michael**

- HB 2133 Requiring a law enforcement officer executing a search warrant at residential premises to be uniformed and to knock and announce themselves before

entering the property.

HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.

**Howard, Ron**

HB 2328 Providing income tax credits for aerospace and aviation program graduates and their employers.

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

**Howe, Steven**

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6013 Recognizing Music in Our Schools Month.

HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.

HR 6018 Condemning the recent attacks on the State of Israel.

**Hoye, Jo Ella**

HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.

HB 2345 Establishing the office of the child advocate for children's protection and services.

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6013 Recognizing Music in Our Schools Month.

HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.

HR 6016 Designating May 3, 2021, as Michael Mosher Day.

**Huebert, Steve**

HB 2038 Creating the educator protection act to provide excess professional liability insurance coverage for teachers.

HB 2039 Requiring students to pass an American civics test in order to graduate with a high school diploma.

HB 2328 Providing income tax credits for aerospace and aviation program graduates and their employers.

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.

**Humphries, Susan**

HB 2328 Providing income tax credits for aerospace and aviation program graduates and their employers.

HB 2345 Establishing the office of the child advocate for children's protection and services.

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6011 Honoring the Kansas Army and Air National Guard.

HR 6013 Recognizing Music in Our Schools Month.

HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.

HR 6018 Condemning the recent attacks on the State of Israel.

**Jacobs, Trevor**

- HR 6007 Declaring September 24, 2021 a day of prayer, fasting and humiliation in Kansas.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Jennings, Russell**

- HCR 5008 Urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.

**Johnson, Steven**

- HCR 5008 Urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Johnson, Timothy**

- HB 2020 Requiring the Kansas commission on veterans affairs office to submit an initial application for a VA state veterans home construction grant.
- HB 2021 Authorizing the issuance of bonds for the construction of a state veterans home.
- HB 2197 Providing for abatement of property tax for certain buildings or improvements destroyed or substantially destroyed by natural disaster.
- HB 2345 Establishing the office of the child advocate for children's protection and services.
- HCR 5008 Urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6011 Honoring the Kansas Army and Air National Guard.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Kelly, Jim**

- HB 2003 Providing for county treasurers to establish a payment plan for the payment of delinquent or nondelinquent taxes.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Kessler, Tom**

- HB 2328 Providing income tax credits for aerospace and aviation program graduates and their employers.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6011 Honoring the Kansas Army and Air National Guard.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Kuether, Annie**

- HB 2140 Prohibiting the carrying of a concealed handgun in the state capitol.
- HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.

**Landwehr, Brenda**

- HB 2071 Increasing the criminal penalties for stalking a minor.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Lee-Hahn, Tatum**

- HB 2123 Establishing the Kansas legal tender act and providing for an income tax modification for sales of specie legal tender.
- HB 2326 Requiring precinct committeemen and committeewomen to provide the county clerk with their address, phone number and email address and limiting the disclosure of the phone number and email address to county and state party chairpersons.
- HB 2327 Prohibiting county boards, trustees or employees from restricting visitors of residents of a county home for the aged or patients in a county hospital.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Long, Marty**

- HB 2071 Increasing the criminal penalties for stalking a minor.
- HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.
- HCR 5008 Urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.

**Lynn, Megan**

- HB 2024 Providing immunity from civil liability for adult care homes for COVID-19

claims.

- HB 2071 Increasing the criminal penalties for stalking a minor.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Mason, Les**

- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6011 Honoring the Kansas Army and Air National Guard.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Miller, Vic**

- HB 2289 Authorizing the issuance of \$1,000,000,000 of pension obligation bonds to finance a portion of the unfunded actuarial liability of KPERS and utilizing the net investment returns on such bonds to provide annual retirant dividend payments to certain retirants.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6017 Supporting the full development of the Heartland Flyer Extension.

**Minnix, Jim**

- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Moser, Lisa**

- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Murphy, Michael**

- HB 2123 Establishing the Kansas legal tender act and providing for an income tax modification for sales of specie legal tender.
- HB 2133 Requiring a law enforcement officer executing a search warrant at residential premises to be uniformed and to knock and announce themselves before entering the property.
- HCR 5010 Constitutional amendment to add a new article imposing a limitation on state expenditures.
- HR 6007 Declaring September 24, 2021 a day of prayer, fasting and humiliation in Kansas.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6011 Honoring the Kansas Army and Air National Guard.

- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Neelly, Lance**

- HB 2020 Requiring the Kansas commission on veterans affairs office to submit an initial application for a VA state veterans home construction grant.
- HB 2021 Authorizing the issuance of bonds for the construction of a state veterans home.
- HB 2197 Providing for abatement of property tax for certain buildings or improvements destroyed or substantially destroyed by natural disaster.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Neighbor, Cindy**

- HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.
- HB 2345 Establishing the office of the child advocate for children's protection and services.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6011 Honoring the Kansas Army and Air National Guard.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.

**Newland, Joe**

- HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.
- HB 2331 Providing for the limited transfer of landowner or tenant deer hunting permits to nonresidents.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6011 Honoring the Kansas Army and Air National Guard.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Ohaebosim, KC**

- HB 2194 Providing for the alpha kappa alpha distinctive license plate.
- HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

**Orr, Boyd**

- HCR 5008 Urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6013 Recognizing Music in Our Schools Month.

**Ousley, Jarrod**

HB 2222 Requiring the Kansas bureau of investigation to establish a Kansas voluntary do-not-sell firearms list to prevent the purchase of firearms by any person who voluntarily registers to be placed on the list.

HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.

HB 2345 Establishing the office of the child advocate for children's protection and services.

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6013 Recognizing Music in Our Schools Month.

HR 6016 Designating May 3, 2021, as Michael Mosher Day.

**Owens, Stephen**

HB 2001 Creating the crime of sexual extortion and requiring an offender to register under the Kansas offender registration act.

HB 2024 Providing immunity from civil liability for adult care homes for COVID-19 claims.

HB 2045 Revising the Kansas angel investor tax credit act with respect to the definition of qualified securities, tax credit limitations and amounts, investor requirements and extending the date that credits may be allowed.

HB 2066 Expanding the military spouse and servicemember's expedited licensure law to all applicants who have established or intend to establish residency in Kansas, providing for the practice of telemedicine by out-of-state physicians, permitting the issuance of temporary licenses in emergencies and the use of electronic credentials.

HB 2071 Increasing the criminal penalties for stalking a minor.

HCR 5008 Urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.

HR 6016 Designating May 3, 2021, as Michael Mosher Day.

HR 6018 Condemning the recent attacks on the State of Israel.

**Parker, Brett**

HB 2033 Increasing the minimum wage to \$15 per hour over a period of 6 years.

HB 2133 Requiring a law enforcement officer executing a search warrant at residential premises to be uniformed and to knock and announce themselves before entering the property.

HB 2267 Creating the Kansas youth advisory council.

HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.

HCR 5012 Revising Article 10 of the Kansas Constitution to establish a redistricting commission.

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6013 Recognizing Music in Our Schools Month.

**Patton, Fred**

- HCR 5008 Urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6017 Supporting the full development of the Heartland Flyer Extension.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Penn, Patrick**

- HB 2328 Providing income tax credits for aerospace and aviation program graduates and their employers.
- HB 2345 Establishing the office of the child advocate for children's protection and services.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Poetter, Samantha**

- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.

**Poskin, Mari-Lynn**

- HB 2278 Providing for the publication of signed statements of fair campaign practices and a cause of action and penalties for violations of such statement.
- HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.

**Probst, Jason**

- HB 2322 Regulating contract for deed transactions, authorizing recording of contract for deeds or affidavits of equitable interest, listing deceptive practices constituting violations of the consumer protection act, requiring notice to the buyer of default and allowing buyers to cure violations of such default.
- HCR 5005 Honoring COVID-19 frontline workers.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6017 Supporting the full development of the Heartland Flyer Extension.

**Proctor, Pat**

- HB 2020 Requiring the Kansas commission on veterans affairs office to submit an initial application for a VA state veterans home construction grant.
- HB 2021 Authorizing the issuance of bonds for the construction of a state veterans home.

- HB 2066 Expanding the military spouse and servicemember's expedited licensure law to all applicants who have established or intend to establish residency in Kansas, providing for the practice of telemedicine by out-of-state physicians, permitting the issuance of temporary licenses in emergencies and the use of electronic credentials.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6011 Honoring the Kansas Army and Air National Guard.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Proehl, Richard**

- HB 2007 Updating motor carrier laws and the regulation of motor carriers by the state corporation commission.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Rahjes, Ken**

- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.
- HR 6017 Supporting the full development of the Heartland Flyer Extension.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Ralph, Bradley**

- HCR 5008 Urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6017 Supporting the full development of the Heartland Flyer Extension.

**Resman, John**

- HB 2071 Increasing the criminal penalties for stalking a minor.
- HB 2345 Establishing the office of the child advocate for children's protection and services.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6011 Honoring the Kansas Army and Air National Guard.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Rhiley, Bill**

- HB 2099 Permitting taxpayers to attend BOTA hearings by use of audio or video

electronic communication.

- HB 2100 Designating a bridge on United States highway 166 in Cowley county as the SGT Tyler A Juden memorial bridge.
- HB 2210 Making it a crime for a doctor to perform gender reassignment surgery or hormone replacement therapy on minors.
- HB 2211 Requiring law enforcement officers to impound the vehicles of individuals unable to provide proof of financial security under certain circumstances.
- HB 2328 Providing income tax credits for aerospace and aviation program graduates and their employers.
- HB 2345 Establishing the office of the child advocate for children's protection and services.
- HR 6007 Declaring September 24, 2021 a day of prayer, fasting and humiliation in Kansas.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Ruiz, Louis**

- HB 2305 Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.
- HB 2306 Restoring local control over certain compensation, wage and benefit requirements for construction projects.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.

**Ruiz, Susan**

- HB 2047 Repealing the adoption protection act.
- HB 2140 Prohibiting the carrying of a concealed handgun in the state capitol.
- HB 2323 Amending statutes concerning the recognition of marriage and removing the requirement that marriage be between two parties of the opposite sex.
- HB 2345 Establishing the office of the child advocate for children's protection and services.
- HCR 5011 Proposing a constitutional amendment to repeal section 16 of article 15 of the constitution of the state of Kansas that requires marriage to be between individuals of the opposite sex.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.
- HR 6017 Supporting the full development of the Heartland Flyer Extension.

**Ryckman, Ron**

- HB 2071 Increasing the criminal penalties for stalking a minor.
- HCR 5001 Adopting joint rules for the House of Representatives and Senate for the 2021-2022 biennium.
- HCR 5005 Honoring COVID-19 frontline workers.
- HCR 5019 Providing for the adjournment of the Senate and House of Representatives for a period of time during the 2021 regular session of the Legislature.
- HR 6001 Providing for the organization of the House of Representatives for the 2021

session.

HR 6002 Assigning seats in the House of Representatives for the 2021 session.

HR 6003 Proposing the temporary rules of the House of Representatives for the 2021 session.

HR 6004 Adopting permanent rules of the House of Representatives for the 2021-2022 biennium.

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6012 Providing for changes in seat assignments in the house of representatives during the 2021 legislative session.

HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.

HR 6015 Urging the legislative coordinating council to revoke an executive order issued by the governor related to mandating face coverings if such an executive order is issued while the legislature is adjourned.

HR 6018 Condemning the recent attacks on the State of Israel.

### **Samsel, Mark**

HB 2071 Increasing the criminal penalties for stalking a minor.

HB 2267 Creating the Kansas youth advisory council.

HCR 5008 Urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6018 Condemning the recent attacks on the State of Israel.

### **Sanders, Clarke**

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.

HR 6016 Designating May 3, 2021, as Michael Mosher Day.

HR 6018 Condemning the recent attacks on the State of Israel.

### **Sawyer, Tom**

HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.

HB 2328 Providing income tax credits for aerospace and aviation program graduates and their employers.

HCR 5001 Adopting joint rules for the House of Representatives and Senate for the 2021-2022 biennium.

HCR 5005 Honoring COVID-19 frontline workers.

HCR 5019 Providing for the adjournment of the Senate and House of Representatives for a period of time during the 2021 regular session of the Legislature.

HR 6001 Providing for the organization of the House of Representatives for the 2021 session.

HR 6002 Assigning seats in the House of Representatives for the 2021 session.

HR 6003 Proposing the temporary rules of the House of Representatives for the 2021 session.

HR 6004 Adopting permanent rules of the House of Representatives for the 2021-2022 biennium.

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6012 Providing for changes in seat assignments in the house of representatives during the 2021 legislative session.

HR 6017 Supporting the full development of the Heartland Flyer Extension.

**Schreiber, Mark**

HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6011 Honoring the Kansas Army and Air National Guard.

HR 6013 Recognizing Music in Our Schools Month.

HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.

HR 6016 Designating May 3, 2021, as Michael Mosher Day.

HR 6017 Supporting the full development of the Heartland Flyer Extension.

HR 6018 Condemning the recent attacks on the State of Israel.

**Seiwert, Joe**

HB 2331 Providing for the limited transfer of landowner or tenant deer hunting permits to nonresidents.

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.

HR 6016 Designating May 3, 2021, as Michael Mosher Day.

HR 6018 Condemning the recent attacks on the State of Israel.

**Smith, Adam**

HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.

HCR 5008 Urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.

HR 6016 Designating May 3, 2021, as Michael Mosher Day.

**Smith, Charles (Chuck)**

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6018 Condemning the recent attacks on the State of Israel.

**Smith, Eric**

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6011 Honoring the Kansas Army and Air National Guard.

HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.

HR 6018 Condemning the recent attacks on the State of Israel.

**Stogsdill, Jerry**

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6013 Recognizing Music in Our Schools Month.

HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.

HR 6016 Designating May 3, 2021, as Michael Mosher Day.

**Sutton, Bill**

- HB 2123 Establishing the Kansas legal tender act and providing for an income tax modification for sales of specie legal tender.
- HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Tarwater, Sean**

- HB 2066 Expanding the military spouse and servicemember's expedited licensure law to all applicants who have established or intend to establish residency in Kansas, providing for the practice of telemedicine by out-of-state physicians, permitting the issuance of temporary licenses in emergencies and the use of electronic credentials.
- HB 2071 Increasing the criminal penalties for stalking a minor.
- HB 2328 Providing income tax credits for aerospace and aviation program graduates and their employers.
- HB 2331 Providing for the limited transfer of landowner or tenant deer hunting permits to nonresidents.
- HCR 5008 Urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6017 Supporting the full development of the Heartland Flyer Extension.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Thomas, Adam**

- HB 2024 Providing immunity from civil liability for adult care homes for COVID-19 claims.
- HB 2066 Expanding the military spouse and servicemember's expedited licensure law to all applicants who have established or intend to establish residency in Kansas, providing for the practice of telemedicine by out-of-state physicians, permitting the issuance of temporary licenses in emergencies and the use of electronic credentials.
- HB 2071 Increasing the criminal penalties for stalking a minor.
- HB 2271 Permitting the court to exercise jurisdiction over children in need of care and adult children in need of care to extend or re-enter custody of the secretary for children and families until 21 years of age.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Thompson, Kent**

- HR 6008 Urging the President of the United States to honor surviving World War II

Medal of Honor recipients with designated state funerals.

HR 6013 Recognizing Music in Our Schools Month.

HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.

**Toplikar, John**

HB 2071 Increasing the criminal penalties for stalking a minor.

HB 2303 Adjusting the credit and income amounts for the income tax credit for purchases of food in this state.

HB 2304 Increasing income tax credit for expenditures to make a principal dwelling accessible to persons with a disability.

HB 2332 Requiring identification of the sender on third party solicitations to registered voters to file an application for an advance voting ballot.

HB 2333 Prohibiting the acceptance of incomplete applications for advance voting ballots, prohibiting candidates for office from engaging in certain conduct with respect to advance voting ballots and expanding the crime of electioneering.

HB 2334 Prohibiting the networking of electronic voting machines and providing for recounts of the results tabulated by such machines.

HB 2339 Expanding the crime of election tampering to include changing or altering votes cast, manipulating computer hardware or software or vote tabulation methods or producing false vote totals.

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6011 Honoring the Kansas Army and Air National Guard.

HR 6017 Supporting the full development of the Heartland Flyer Extension.

HR 6018 Condemning the recent attacks on the State of Israel.

**Turner, Carl**

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6011 Honoring the Kansas Army and Air National Guard.

HR 6016 Designating May 3, 2021, as Michael Mosher Day.

**Vaughn, Lindsay**

HB 2033 Increasing the minimum wage to \$15 per hour over a period of 6 years.

HB 2267 Creating the Kansas youth advisory council.

HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.

HB 2342 Allowing pharmacists to prescribe and fill prescriptions for self-administered contraceptives.

HB 2343 Providing for insurance coverage for prescription contraceptives dispensed for three or twelve-month periods.

HB 2345 Establishing the office of the child advocate for children's protection and services.

HB 2352 Providing a sales tax exemption for sales of farm products sold at farmers' markets.

HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.

HR 6013 Recognizing Music in Our Schools Month.

**Victors, Ponka-We**

HB 2006 Changing the designation of Columbus Day to Indigenous Peoples Day.

- HB 2008 Providing for the attorney general to coordinate training for law enforcement agencies on missing and murdered indigenous people.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6017 Supporting the full development of the Heartland Flyer Extension.

**Waggoner, Paul**

- HB 2024 Providing immunity from civil liability for adult care homes for COVID-19 claims.
- HB 2071 Increasing the criminal penalties for stalking a minor.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Wasinger, Barbara**

- HB 2024 Providing immunity from civil liability for adult care homes for COVID-19 claims.
- HB 2066 Expanding the military spouse and servicemember's expedited licensure law to all applicants who have established or intend to establish residency in Kansas, providing for the practice of telemedicine by out-of-state physicians, permitting the issuance of temporary licenses in emergencies and the use of electronic credentials.
- HB 2071 Increasing the criminal penalties for stalking a minor.
- HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.
- HCR 5008 Urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6016 Designating May 3, 2021, as Michael Mosher Day.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Waymaster, Troy**

- HB 2022 Updating the state corporation commission's authority to regulate and determine responsibility for abandoned oil and gas wells and abolishing the well plugging assurance fund and transferring all assets and liabilities to the abandoned oil and gas well fund.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.

**Weigel, Virgil**

- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.

**Wheeler, John**

- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6011 Honoring the Kansas Army and Air National Guard.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Williams, Kristey**

- HB 2014 Permitting military surplus vehicles to register with the division of vehicles for road use.
- HB 2015 Providing distinctive license plates for current and veteran members of the United States army, navy, marine corps, air force and coast guard.
- HB 2071 Increasing the criminal penalties for stalking a minor.
- HB 2328 Providing income tax credits for aerospace and aviation program graduates and their employers.
- HCR 5008 Urging the U.S. congress to extend daylight saving time throughout the year for the whole nation.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.
- HR 6014 Strengthening the sister-state ties between the State of Kansas and Taiwan.
- HR 6018 Condemning the recent attacks on the State of Israel.

**Winn, Valdenia**

- HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.
- HB 2306 Restoring local control over certain compensation, wage and benefit requirements for construction projects.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.

**Wolfe Moore, Kathy**

- HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.
- HB 2305 Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.
- HB 2306 Restoring local control over certain compensation, wage and benefit requirements for construction projects.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.

**Woodard, Brandon**

- HB 2033 Increasing the minimum wage to \$15 per hour over a period of 6 years.
- HB 2047 Repealing the adoption protection act.
- HB 2065 Including source of income as a protected class with respect to housing under the Kansas act against discrimination.
- HB 2071 Increasing the criminal penalties for stalking a minor.
- HB 2140 Prohibiting the carrying of a concealed handgun in the state capitol.
- HB 2265 Providing a sales tax exemption for required textbooks and authorizing a local sales tax on required textbooks.
- HB 2267 Creating the Kansas youth advisory council.

- HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.
- HB 2323 Amending statutes concerning the recognition of marriage and removing the requirement that marriage be between two parties of the opposite sex.
- HCR 5011 Proposing a constitutional amendment to repeal section 16 of article 15 of the constitution of the state of Kansas that requires marriage to be between individuals of the opposite sex.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6017 Supporting the full development of the Heartland Flyer Extension.

**Xu, Rui**

- HB 2033 Increasing the minimum wage to \$15 per hour over a period of 6 years.
- HB 2113 Establishing the advisory commission on Asian-American Pacific Islander affairs.
- HB 2133 Requiring a law enforcement officer executing a search warrant at residential premises to be uniformed and to knock and announce themselves before entering the property.
- HB 2267 Creating the Kansas youth advisory council.
- HB 2300 Abolishing the death penalty and creating the crime of aggravated murder.
- HB 2309 Requiring manufacturers of electronics-enabled equipment used in agriculture, animal husbandry and ranching to make available to farmers, ranchers and independent repair providers, on fair and reasonable terms, the documentation, parts and tools used to diagnose, maintain and repair such equipment.
- HB 2310 Creating the Kansas healthy soils fund and the Kansas healthy soils initiative for the purpose of promoting healthy soils practices in the state of Kansas.
- HR 6008 Urging the President of the United States to honor surviving World War II Medal of Honor recipients with designated state funerals.
- HR 6013 Recognizing Music in Our Schools Month.

## COMMITTEES

**House Committees***Agriculture*

- HB 2102 Updating egg repackaging requirements for retailers.
- HB 2103 Establishing the Kansas pesticide waste disposal program and permitting up to \$50,000 to be transferred annually from the Kansas agricultural remediation fund to a new Kansas pesticide waste disposal fund.
- HB 2155 Providing for department of health and environment response operations for water and soil pollutant release, discharge or escape.
- HB 2156 Authorizing the on-farm retail sale of raw, unpasteurized milk so long as certain labeling and advertising requirements are met and providing civil penalties for violations of such requirements.
- HB 2204 Prohibiting the use of identifiable meat terms on labels of meat analogs without either an accompanying disclaimer that the product does not contain meat or the inclusion of the word "imitation" before the name of the meat food product being imitated.
- HB 2244 Establishing requirements for the effective disposal of industrial hemp and

- requiring industrial hemp processors to register with the state fire marshal.
- HB 2284 Reducing certain camp site and cabin fees at Kansas state parks by 50% for senior citizens.
- HB 2335 Creating the Kansas cotton commission and requiring the commission to levy an assessment upon cotton marketed through commercial channels in the state of Kansas at a rate of not more than 10 cents per bale.
- HB 2336 Making it unlawful to take a wildlife simulated device being used by a law enforcement officer for the purpose of enforcing the wildlife laws of this state.

### *Appropriations*

- HB 2094 Creating the wartime veteran and first responder survivors' grant program and fund.
- Sub HB 2094 Substitute for HB 2094 by Committee on Appropriations - Expanding educational benefits of tuition and fees waiver for spouses and dependents of public safety officers and personnel who are injured or disabled while performing service-related duties.
- HB 2101 Extending transfers from the expanded lottery act revenues fund to the university engineering initiative.
- HB 2174 Establishing the rural hospital innovation grant program to assist rural hospitals in serving rural communities.
- HB 2188 Requiring review by the joint committee on information technology of state agency contracts for certain information technology projects.
- HB 2203 Establishing the asbestos remediation fund for fees collected as part of the Kansas asbestos control program.
- HB 2248 Increasing state financial assistance to local health departments under specified circumstances.
- HB 2249 Setting the protected income level for persons receiving home and community-based services at 150% of federal supplemental security income.
- HB 2250 Expanding newborn screening services and increasing transfers of moneys to the Kansas newborn screening fund.
- HB 2253 Updating certain provisions of the prescription monitoring program act relating to program data, storage and access, increasing the membership of the advisory committee and providing for setup and annual maintenance fees for program data integration.
- HB 2353 Establishing the Kansas commission for the United States semiquincentennial.
- HB 2392 Providing lifetime combination fishing, hunting and furharvester licenses to any Kansas air or army national guard veteran who served for 20 years and was honorably discharged.
- HB 2396 Making supplemental appropriations for fiscal years 2021 through 2032 for various state agencies and revising the pooled money investment portfolio repayment schedule.
- HB 2397 Appropriations for FY 2022, FY 2023 and FY 2024 for various state agencies.
- Sub HB 2397 Substitute for HB 2397 by Committee on Appropriations-Appropriations FY 2021, FY 2022, FY 2023 and FY 2024 for various state agencies.
- HB 2398 Enacting the technology-enabled trust bank act, providing requirements,

- fiduciary powers, duties, functions and limitations for trust banks and the administration thereof by the bank commissioner and creating an income and privilege tax credit for certain qualified distributions from trust banks.
- HB 2399 Amortizing the state and school KPERS unfunded actuarial liability over a 24-year period and eliminating certain level-dollar employer contribution payments.
- HB 2401 Authorizing the secretary of corrections to enter agreements for public-private partnerships for projects for new or renovated buildings at correctional institutions for education, skills-building and spiritual needs programs; establishing a nonprofit corporation to receive gifts, donations, grants and other moneys and engage in fundraising projects for funding such projects for education, skills-building and spiritual needs programs.
- HB 2402 Excluding hypothetical leased fee when determining fair market value for property taxation purposes.
- HB 2404 Providing a KPERS death and long-term disability employer contribution moratorium.
- HB 2405 Authorizing the issuance of \$1,000,000,000 of pension obligation bonds to finance a portion of the unfunded actuarial liability of KPERS.
- HB 2411 Authorizing local boards of education to choose which professional employees' organization to recognize as the exclusive bargaining unit for negotiations conducted under the professional negotiations act.
- HB 2412 Enacting the Kansas fights addiction act to establish a grant program for the purpose of preventing, reducing, treating and mitigating the effects of substance abuse and addiction.
- HB 2419 Amendments regarding the licensure and regulation of barbering, including licensure fee amounts.
- HB 2425 Requiring a member of the state board of regents to be a student member nominated by the students' advisory committee.
- HB 2426 Authorizing municipalities to issue bonds and warrants in excess of expected revenue in the case of a declared emergency and raising the maximum bond interest rate.
- HB 2429 Establishing the city utility low-interest loan program, allowing cities to apply to the state treasurer for loans from state unencumbered funds for extraordinary electric or natural gas costs incurred during the extreme winter weather event of February 2021.
- HB 2435 Defining emergency responders to include public safety telecommunicators.
- HB 2442 Providing liability protection for businesses, municipalities and educational institutions that participate in high school work-based learning programs and providing that schools are responsible for injuries to students participating in such programs.
- HB 2443 Providing an employment preference for persons with a disability for state government positions.
- HB 2448 Permitting the secretary for children and families to license certain family foster homes where a former foster care youth with juvenile adjudications resides.
- HCR 5014 Proposing a constitutional amendment that provides for legislative oversight of rules and regulations adopted by executive branch agencies and officials.
- HR 6009 Disapproving executive reorganization order no. 47 that relates to the newly

named Kansas department of human services.

*Children and Seniors*

- HB 2062 Providing certain exceptions to the confidentiality of state child death review board documents.
- HB 2114 Establishing the Kansas senior care task force.
- HB 2115 Establishing the joint committee on child welfare system oversight.
- HB 2116 Exempting the caregiver of a child in state out-of-home placement from the child care assistance 20-hour-per-week work requirement.
- HB 2149 Permitting the secretary for children and families to permit individuals in certain circumstances who have been convicted of certain crimes to reside, work or regularly volunteer at child care facilities licensed by the secretary.
- HB 2150 Creating a definition of financial exploitation, requiring additional mandatory reporters and increasing investigation days in the abuse, neglect and financial exploitation of certain adults.
- HB 2151 Creating Kansas elder and dependent adult abuse multidisciplinary teams and a coordinator.
- HB 2283 Concerning state benefit requirements and limitations for the temporary assistance for needy families program.
- HB 2338 Establishing a pilot program in the department for children and families to assist children in the custody of the secretary in obtaining a driver's license.
- HB 2371 Removing cooperation with child support from requirements for food and child care assistance and exempting adults enrolled in school from the 20-hour-per-week work requirement for child care assistance.

*Commerce, Labor and Economic Development*

- Sub HB 2066 Substitute for HB 2066 by Committee on Commerce, Labor and Economic Development - Expanding the military spouse and service members expedited licensure law to all applicants who have established or intend to establish residency in Kansas.
- HB 2097 Decoupling the KIT and KIR workforce training programs from the high performance incentive fund program.
- HB 2112 Permitting online advertisement and sales of abandoned property by self-storage rental unit operators; providing for the designation by occupants of an alternate contact and limiting claims for loss or damage of stored property to the property value limit provided in the rental agreement.
- HB 2170 Amending the Kansas rural housing incentive district act to permit bond funding for vertical residential renovation of older buildings in central business districts.
- HB 2171 Providing for the transferability of high performance incentive fund tax credits.
- HB 2182 Establishing the Kansas promise scholarship act to provide scholarships for students who attend postsecondary educational programs that correspond to high-need career fields, authorizing payment of tuition for students who are dually or concurrently enrolled in high school and postsecondary school and requiring school districts to insure against injury or loss during work-based learning programs.
- HB 2196 Changing provisions of the employment security law, including creation of

- the unemployment compensation modernization and improvement council, development of a new unemployment insurance information technology system, provision of tax information to claimants, publication of trust fund data, the maximum benefit period, the charging of employer accounts for benefits paid, employer contribution rate determination and schedules, abolishment of the employment security interest assessment fund, crediting of employer accounts for fraudulent or erroneous payments, transfers from the state general fund to the unemployment insurance trust fund for improper benefit payments, changes to the shared work compensation program and other unemployment trust fund provisions.
- Sub HB 2196 Substitute for HB 2196 by Committee on Commerce, Labor and Economic Development – Changing provisions of the employment security law including creation of the unemployment compensation modernization and improvement council, development of a new unemployment insurance information technology system, provision of tax information to claimants, publication of trust fund data, the maximum benefit period, the charging of employer accounts for benefits paid, employer contribution rate determination and schedules, abolishment of the employment security interest assessment fund, crediting of employer accounts for fraudulent or erroneous payments, appropriation of federal COVID-19 moneys to the unemployment insurance trust fund, transfers from the state general fund to the unemployment insurance trust fund for improper benefit payments, emergency expansion of the employment security board of review, providing for the my reemployment plan program and workforce training program availability to claimants, changes to the shared work compensation program and other unemployment trust fund provisions.
- HB 2219 Enacting the Kansas targeted employment act to provide tax credits for the employment of persons with developmental disabilities.
- HB 2220 Providing an employment preference for persons with a disability for state government positions.
- HB 2221 Amending STAR bonds law by adding rural redevelopment projects and major business facilities, increasing certain project investment and sales requirements, adding a return on investment analysis and other requirements and approvals by the secretary and extending the sunset date.
- HB 2231 Amending the definition of the crime of conducting a pyramid promotional scheme, providing for an exemption and defining key terms.
- HB 2293 Creating the taxpayer empowerment, accountability and transparency in state contracting act; relating to private service contracts; requiring the department of administration to create a database of private service contract information and to analyze the potential impacts of such contracts; requiring contracting state agencies to obtain the resources needed to monitor the performance of private service contracts before finalizing such contracts.
- HB 2297 Concerning requirements of publication of certain documents by the secretary of state; relating to session laws, the Kansas register, proposed amendments to the constitution of the state of Kansas, and Kansas administrative rules and regulations and guidance documents.
- HB 2298 Changing requirements for service of process on nonresident drivers and clarifying service of process on certain business entities.

- HB 2370 Prohibiting a criminal conviction from acting as a sole disqualification for occupational licensure and creating guidelines to follow when considering criminal convictions of an applicant for occupational licensure.
- HB 2391 Changing the secretary of state's business filings provisions including instituting biennial business report filings and making other changes to business filing provisions, information requirements and fees, removing exemptions from the open records act for tax records no longer kept by the secretary of state, permitting the public recording of UCC filings with improperly included social security numbers and repealing certain obsolete statutes including blanket music license filing provisions.
- H Sub SB 91 House Substitute for SB 91 by Committee on Commerce, Labor and Economic Development - Providing liability protection for businesses, municipalities and educational institutions that participate in high school work-based learning programs and providing that schools are responsible for injuries to students participating in such programs.
- H Sub SB 124 House Substitute for SB 124 by Committee on Commerce, Labor and Economic Development - Expanding STAR bonds by adding rural redevelopment projects and major business facilities, prohibiting public officials from employment with a developer, providing for public notice of hearings on city or county websites, posting of certain documents and links on websites, disclosure of names of developer, disclosure of state, federal and local tax incentives within a STAR bond district, changing certain project financing, investment and sales provisions, adding visitor tracking plan requirements and additional feasibility study requirements with oversight by the secretary, requiring approval by the secretary for real estate transfers, requiring district contiguity and extending the sunset date.

*Corrections and Juvenile Justice*

- HB 2077 Extending the Kansas criminal justice reform commission, limiting the commission's scope of study and adding a public defender.
- HB 2081 Modifying how certain prior convictions are counted for the special sentencing rule related to possession of a controlled substance and providing concurrent or consecutive sentencing for persons convicted of new crimes while on release for a felony.
- HB 2083 Requiring legislative members of the sentencing commission to be members of the senate judiciary and the house corrections and juvenile justice committees.
- HB 2084 Allowing earned discharge credit for offenders on probation and limiting the maximum term of supervision on probation.
- HB 2092 Removing drug offenders from the registration requirements of the Kansas offender registration act and removing the felony penalty for multiple nonpayments of fees under the act.
- HB 2121 Adding definitions related to defendants who abscond from supervision in the criminal procedure code and for parole.
- HB 2128 Clarifying jurisdiction and supervision of offenders in a certified drug abuse treatment program and allowing certain nondrug offenders to participate in the program.
- HB 2139 Reducing the criminal penalties for most severity level 5 drug crimes and

- increasing the penalties for offenders in criminal history category 5-I.
- HB 2144 Requiring an offender who raises error in such offender's criminal history calculation for the first time on appeal to show prejudicial error.
- HB 2146 Expanding the number of presumptive probation and border grid blocks in the sentencing grid for drug crimes.
- HB 2147 Allowing early discharge from prison for certain drug offenders.
- HB 2190 Clarifying successive motions, new evidence and time limitations for habeas corpus claims.
- HB 2191 Increasing criminal penalties for the crimes of riot and incitement to riot when the crime occurs in a correctional facility.
- HB 2192 Authorizing court services officers and community corrections officers to provide a certification of identification to offenders for use to obtain a new driver's license.
- HB 2193 Prohibiting an application fee for drivers' license reinstatements, removing additional suspension period when convicted of driving while suspended and limiting reinstatement fee to one per case.
- HB 2200 Allowing evidence-based program account money to be used on certain children, requiring the department of corrections to build data systems and allowing for overall case length limit extensions for certain juvenile offenders.
- HB 2215 Allowing persons with felony drug convictions to receive benefits under the supplemental nutrition assistance program.
- HB 2274 Increasing the criminal penalty for buying sexual relations and removing provisions related to how prior convictions are counted.
- HB 2275 Requiring the department of corrections to develop guidance to be used by parole officers when responding to violations of parole and postrelease supervision and that incentivize compliant behavior.
- HB 2276 Removing opposite sex requirement for unlawful voluntary sexual relations.
- HB 2277 Clarifying the definition of possession in the Kansas criminal code.
- HB 2318 Providing for early discharge for certain offenders on lifetime postrelease supervision and changing the definition of a persistent sex offender.
- HB 2346 Allowing release of defendants to a pretrial supervision entity or program and allowing fees associated with supervision to the nonjudicial salary adjustment fund at the discretion of a chief judge.
- HB 2347 Making changes related to sex offenses including creating the crime of rape during a treatment session, lowering the criminal penalty for attempt, conspiracy and solicitation of certain sex offenses and changing the elements of, reducing criminal penalties and removing registration requirements for unlawful voluntary sexual relations.
- HB 2349 Creating a mechanism to seek relief from the Kansas offender registration act requirements, decreasing criminal penalties for failure to register, allowing courts to waive fees associated with registration, reducing number of places a person is required to register and eliminating registration for most juvenile adjudications.
- HB 2350 Expanding the number of presumptive probation and border grid blocks in the sentencing grid for nondrug crimes.
- HB 2360 Removing recklessly causing fear or evacuation, lock down or disruption in regular, ongoing activities from the crime of criminal threat.

- HB 2361 Authorizing the supreme court to adopt rules establishing specialty courts, creating the specialty court funding advisory committee and the specialty court resources fund.
- HB 2374 Authorizing the Kansas sentencing commission to change risk assessment cut-off levels for participation in the certified drug abuse treatment program.

### *Education*

- HB 2085 Creating the students' right to know act to provide information on postsecondary education options.
- HB 2086 Authorizing schools to maintain emergency medication kits and to administer such medication in emergency situations.
- HB 2124 Clarifying the authority of healing arts school clinics to provide healing arts services.
- HB 2301 Requiring accredited high schools to provide a course of instruction in personal financial literacy.
- HB 2302 Requiring school districts to provide copies of certain tests, questionnaires, surveys or examinations prior to receiving consent to administer such test, questionnaire, survey or examination.

### *Elections*

- HB 2051 Providing for the filling of a vacancy in the offices of state treasurer and the insurance commissioner by statewide district convention.
- HB 2052 Authorizing legislative assistants and committee assistants to accept gifts of not to exceed \$120 in value each legislative session from certain legislators.
- HB 2053 Requiring electronic filing of campaign reports by candidates for state office unless an exemption is granted for cause.
- HB 2054 Limiting who may deliver advance ballots, placing limitations on the number of such ballots that a person may deliver and establishing criminal penalties for violations.
- HB 2055 Making the five-day grace period for the late filing notice for lobbyist reports and statements of substantial interest reports to begin when the notice is deposited in the mail.
- HB 2090 Creating a procedure for appointment of acting official when an elected official's military service causes a vacancy.
- HB 2118 Deleting the treasurer's name from candidate political advertisements and requiring clear and obvious attribution in advertisements.
- HB 2162 Amending and repealing reapportionment census data laws to conform with 2019 amendments to the Kansas constitution and to remove certain obsolete provisions.
- HB 2163 Repealing obsolete election laws relating to the use of census data adjustments, repealing obsolete statutes relating to the 1988 census, the presidential preference primary and certain elections-related corporate contribution restrictions.
- HB 2183 Prohibiting the governor, the executive branch and the judicial branch from altering election laws or procedures and limiting the authority of the secretary of state to enter into consent decrees with any court absent the approval of the legislative coordinating council.
- HB 2344 Requiring Riley county to elect a county sheriff beginning in the 2022

- election cycle and abolishing the Riley county law enforcement agency.
- HB 2355 Clarifying four election statutes dealing with bond law elections, county election commissioners, deleting the requirement of residing in the county and mail ballots clarification.
- HCR 5004 Proposing to amend Section 11 of Article 1 of the Constitution of the State of Kansas regarding the filing of vacancies in the office of Attorney General and the Secretary of State.
- HCR 5009 Making application to the Congress of the United States to call a convention of the states on election integrity.

*Energy, Utilities and Telecommunications*

- HB 2145 Exempting the retail sale of electricity by public utilities for electric vehicle charging stations from the jurisdiction of the state corporation commission.
- HB 2180 Requiring changes to electric rates for transmission costs to be approved through an electric utility's general rate case proceedings.
- HB 2181 Requiring the state corporation commission to provide the legislature with an annual report of the electric rates of electric public utilities in the region.
- HB 2205 Authorizing publication of legal notices by a city, county, school district or other board or entity on a designated official website.
- HB 2329 Updating the entities who are subject to the pipeline safety program of the state corporation commission and increasing the maximum penalties that may be imposed for safety violations to conform with federal requirements.
- HB 2330 Authorizing solar power purchase agreements with renewable energy suppliers and exempting the sales of electricity pursuant to power purchase agreements from public utility regulation.
- HB 2367 Authorizing the state corporation commission to regulate certain transmission line wire stringing activities.
- HB 2381 Establishing the state energy plan task force to develop a comprehensive state energy plan.

*Federal and State Affairs*

- HB 2048 Extending certain provisions of the governmental response to the COVID-19 pandemic in Kansas and providing certain relief related to health, welfare, property and economic security during this public health emergency.
- HB 2056 Regulating the sale and distribution of kratom products as a part of and supplemental to the Kansas food, drug and cosmetic act.
- HB 2057 Allowing an alcoholic liquor manufacturer to obtain a drinking establishment license under certain conditions.
- HB 2058 Allowing reciprocity to recognize out-of-state licenses to carry a concealed handgun.
- HB 2059 Providing reciprocity for licenses to carry concealed handguns and creating two classes of concealed carry licenses.
- HB 2060 Establishing daylight saving time as the permanent standard time for the state of Kansas.
- HB 2061 Increasing the minimum age to purchase or possess cigarettes and tobacco products from 18 to 21, and prohibiting cigarette vending machines and flavored vaping products.
- HB 2087 Limiting the review of certain rules and regulations by the director of the

- budget.
- HB 2088 Requiring visual observation of an alleged victim of child abuse or neglect as part of an investigation.
- HB 2089 Authorizing the attorney general to issue an alternative license to carry a concealed handgun to qualified applicants during a declared state of disaster emergency.
- Sub HB 2089 Substitute for HB 2089 by Committee on Federal and State Affairs - Standardizing firearm safety education training programs in school districts.
- HB 2108 Concerning the study and investigation of maternal deaths in the state of Kansas and requiring the secretary of health and environment to establish an external review committee to review black maternal death cases.
- HB 2122 Enacting the supported decision-making agreements act to provide a statutory framework for adults who want decision-making assistance.
- HB 2137 Authorizing certain licensees under the Kansas liquor control act and the club and drinking establishment act to sell and serve cereal malt beverages.
- HB 2138 Club and drinking establishment liquor license eligibility; spouse is a law enforcement officer in another county.
- HB 2184 Creating the Kansas medical marijuana regulation act.
- HB 2199 Authorizing sports wagering under the Kansas expanded lottery act.
- HB 2212 Eliminating Kansas residency requirements for various liquor licenses.
- HB 2224 Expanding the definition of "infectious disease" in certain statutes related to crimes in which bodily fluids may have been transmitted from one person to another.
- HB 2251 Requiring relinquishment of firearms pursuant to certain court orders related to domestic violence.
- HB 2252 Creating fulfillment house licenses to authorize storage and shipping services provided to winery special order shipping licensees.
- HB 2340 Increasing the minimum age to 21 to purchase or possess cigarettes and tobacco products.
- HB 2393 Providing workers compensation benefits for first responders suffering from post-traumatic stress disorder.
- HB 2400 Enacting the massage therapist licensure act, to provide for regulation and licensing of massage therapists.
- HB 2403 Establishing the community defense act to regulate sexually oriented businesses and impose criminal penalties for violations.
- HB 2406 Sunday start time for the sale of alcoholic liquor and cereal malt beverage in retail stores changed from 12 noon to 10 a.m.
- HB 2407 Requiring postsecondary educational institutions to adopt a policy on sexual assault, domestic violence, dating violence and stalking.
- HB 2408 Authorizing the state historical society to convey certain real property to the Iowa Tribe of Kansas and Nebraska.
- HB 2409 Providing a permanent exemption for postsecondary educational institutions from the public buildings requirements under the personal and family protection act.
- HB 2410 Creating the gun violence restraining order act authorizing the issuance of court orders prohibiting the purchase or possession of firearms by a person.
- HB 2415 Providing the state fire marshal with law enforcement powers and requiring an investigation of deaths resulting from fire.

- HB 2416 Modifying the procedure for declaring and extending a state of disaster emergency, limiting powers granted to the governor during a state of disaster emergency, authorizing the legislative coordinating council and the legislature to take certain action related to a state of disaster emergency and prohibiting the governor or the state board of education from closing private schools during a state of disaster emergency.
- HB 2417 Allowing clubs and drinking establishments to sell beer and cereal malt beverage for consumption off the licensed premises.
- HB 2422 Requiring all persons to be 18 years of age to be eligible to give consent for marriage and eliminating exceptions to such requirement.
- HB 2424 Amending the definition of "race" in the Kansas act against discrimination to include traits historically associated with race, including hair texture and protective hairstyles.
- HB 2427 Requiring registration as a sex offender for certain violations of the crime of breach of privacy.
- HB 2430 Creating the Kansas cannabis legalization act to authorize the cultivation, manufacture, sale, possession and use of cannabis and cannabis products.
- HB 2433 Protecting consumers and preventing online retail crime by requiring online marketplaces to verify and authenticate the identity of third parties who sell products on their platforms.
- HB 2434 Requiring business entities and public employers to register and use the e-verify program for employment purposes and disallowing certain income tax deductions.
- HB 2436 Enacting the Kansas medical marijuana regulation act and enacting the Kansas innovative solutions for affordable healthcare act to expand medical assistance eligibility.
- HB 2439 Creating the crime of unauthorized disclosure of a child's sexual orientation or gender identity.
- HB 2444 Authorizing sports wagering under the Kansas lottery act.
- HB 2449 Prohibiting stay-at-home orders and curfews and certain public and private entities from requiring vaccinations, requiring the capitol and legislative meetings be open to the public and protecting the freedom of worship and operation of private businesses.
- HB 2450 Authorizing the Kansas lottery to offer sports wagering with an existing contract provider or to issue a request for proposal for such purpose.
- HB 2453 Authorizing the sale and delivery of cereal malt beverages and beer containing not more than 6% alcohol by volume to patrons under the Kansas cereal malt beverage act.
- HB 2454 Creating additional violations of criminal discharge of a firearm for discharges that are near a school or projectiles that leave the property from which they are discharged.
- HCR 5003 Amending the bill of rights of the constitution of the state of Kansas to reserve to the people the right to regulate abortion through their elected state representatives and senators.
- HCR 5013 Urging congress to propose the "keep nine" amendment to the United States constitution to prohibit expanding the number of justices on the United States supreme court.
- HCR 5017 Supporting the adoption of the COVID-19 Vaccine Bill of Rights

- HC 5018 Proposing a constitutional amendment to remove legislative immunity from arrest in going to, or returning from, the place of meeting, or during the continuance of the legislative session and from civil service of process during the legislative session or 15 days prior to the commencement of the legislative session.
- H Sub for Sub  
 SB 84 House Substitute for Substitute for SB 84 by Committee on Federal and State Affairs - Authorizing sports wagering under the Kansas expanded lottery act.
- H Sub SB 158 House Substitute for SB 158 by Committee on Federal and State Affairs - Creating the Kansas medical marijuana regulation act.

*Financial Institutions and Rural Development*

- HB 2069 Enacting the Kansas economic recovery loan deposit program, updating field of membership requirements of credit unions and allowing privilege tax deductions on agricultural real estate loans and single family residence loans.
- HB 2236 Authorizing exclusion of the sales comparison approach in mortgage financing appraisals of certain unique residential real property in rural counties.
- HB 2237 Extending the eligible time period for the rural opportunity zone loan repayment program and income tax credit.
- HB 2268 Enacting the Kansas rural home loan guarantee act and authorizing the state treasurer to guarantee a certain portion of rural home loans made by financial institutions and report to the legislature regarding such loan guarantees.
- HB 2282 Allowing the state treasurer to enter into agreements with eligible applicants to guarantee agricultural loans up to 80% and creating a committee to review and approve applications for such guaranteed loans.
- HB 2320 Enacting the commercial property assessed clean energy (C-PACE) act, providing financing for certain energy, water, air, health and renewable energy efficiency improvements through assessment contracts between C-PACE lenders and property owners and establishing certain rights, duties and responsibilities for mortgage lenders regarding C-PACE assessments.
- H Sub SB 88 House Substitute for SB 88 by Committee on Financial Institutions and Rural Development - Establishing the city utility low-interest loan program, allowing cities to apply to the state treasurer for loans from state unencumbered funds for extraordinary electric or natural gas costs incurred during the extreme winter weather event of February 2021.
- H Sub SB 98 House Substitute for SB 98 by Committee on Financial Institutions and Rural Development - Enacting the technology-enabled fiduciary financial institution act, providing requirements, fiduciary powers, duties, functions and limitations for such financial institutions and the administration thereof by the state bank commissioner and creating an income and privilege tax credit for certain qualified distributions from technology-enabled fiduciary financial institutions.

*Health and Human Services*

- HB 2157 Establishing restrictions on the use of step therapy protocols by health insurance plans.
- HB 2158 Making permanent provisions for the advisory committee on trauma and the

- statewide trauma system regional council to conduct closed meetings and keep privileged records regarding trauma cases.
- HB 2159 Permitting the administration of certain tests, questionnaires, surveys and examinations regarding student beliefs and practices on an opt-out basis and providing conditions therefor.
- HB 2160 Establishing certification and funding for certified community behavioral health clinics.
- HB 2161 Renaming the Kansas state board of cosmetology, creating new categories of licenses issued thereby and extending the board's enforcement authority to non-licensees.
- HB 2179 Providing for the licensure of dental therapists.
- HB 2206 Updating certain definitions, referral to specialty services and coordination of care provisions in the Kansas telemedicine act.
- HB 2207 Prohibiting certain licensed individuals from using conversion therapy on minors.
- HB 2208 Reducing certain requirements for licensure by the behavioral sciences regulatory board, requiring board approval to provide clinical social work supervision and expanding out-of-state temporary permits to practice.
- HB 2209 Enacting the psychology interjurisdictional compact to provide for interjurisdictional authorization to practice telepsychology and temporary in-person, face-to-face psychology.
- HB 2234 Requiring medical directors of emergency medical services to provide medical oversight of such services and emergency medical service providers.
- HB 2254 Removing the monetary cap on irrevocable prearranged funeral agreements.
- HB 2255 Enacting the sexual assault survivor information act to require certain entities to provide information to sexual assault survivors.
- HB 2256 Updating scope of practice requirements for advanced practice registered nurses without a supervising physician, imposing requirements therefor and updating certain licensure requirements.
- HB 2257 Permitting physicians to decide based on their medical judgment whether to provide patients with certain information.
- HB 2258 Enacting the right to family planning act to require contraceptives to be available at pharmacies.
- HB 2259 Permitting the use of expedited partner therapy to treat a sexually transmitted disease.
- HB 2260 Prohibiting disparate treatment by pharmacy benefits managers of certain pharmacies and pharmaceutical services providers.
- HB 2261 Enacting the rural emergency hospital act to provide for the licensure of rural emergency hospitals.
- HB 2262 Eliminating the requirement to provide a permit to cremate in certain circumstances and authorizing electronic permits to cremate.
- HB 2279 Enacting the physical therapy licensure compact and authorizing criminal history record checks.
- HB 2280 Updating statutes relating to the powers, duties and functions of the state board of pharmacy.
- HB 2281 Establishing and implementing 988 as the suicide prevention and mental health crisis hotline in Kansas.
- HB 2372 Establishing a medicaid ambulance service provider assessment to be

- imposed on ground ambulance service providers.
- HB 2373 Requiring the Kansas department for aging and disability services to establish and implement a mobile crisis services program for individuals with intellectual or developmental disability.
- HB 2384 Establishing the advisory committee on harm reduction to advise KDHE on reducing incidents of harm to individuals in the state.
- HB 2385 Expanding the pharmacist's scope of practice to include point-of-care testing for and treatment of certain health conditions.
- HB 2386 Establishing requirements for the payment and reimbursement of dental services by a dental benefit plan.

*Insurance and Pensions*

- HB 2072 Updating the version of risk-based capital instructions in effect.
- HB 2073 Limiting utilization review conducted by health plans under certain circumstances involving the treatment of mental illness or substance abuse disorder.
- HB 2074 Updating producer licensing statutes pertaining to appointment, fees, licensing, renewal dates, continuing education, suspension, revocation and denial of licensure and reinstatement.
- HB 2110 Requiring insurance coverage for PANS and PANDAS by the state health care benefits program and requiring the state employee health care commission to submit an impact report on such coverage to the legislature.
- HB 2111 Providing membership in the KP&F retirement system for certain security officers of the department of corrections.
- HB 2129 Providing for tobacco cessation benefits coverage under the state health care benefits program.
- HB 2134 Updating the national association of insurance commissioners credit for reinsurance model law and codifying the credit for reinsurance model regulation.
- HB 2135 Establishing the securities act victim restitution program.
- HB 2136 Updating certain statutes relating to the regulation of the business of insurance; granting the commissioner of insurance certain investigative powers.
- HB 2198 Permitting local eligible employers to affiliate with KP&F with regard to coverage of certain local corrections employees.
- HB 2241 Requiring certain insurance coverage for diagnostic examinations for breast cancer.
- HB 2242 Increasing the percentage amount the state fire marshal may levy on fire insurance company premiums caused by fire business being transacted in Kansas.
- HB 2243 Adjusting the frequency of the KPERS actuarial experience study.
- HB 2324 Establishing a \$100 maximum out-of-pocket cost-share per month per covered person for prescription insulin drugs.
- HB 2325 Prohibiting certain billing practices by health insurers and enacting the end surprise medical bills act.
- HB 2368 Increasing the motor vehicle liability insurance minimum policy limit for bodily injury.
- HB 2378 Creating the Kansas work and save program under the administration of the

- state treasurer and allowing certain individuals to contribute to individual retirement accounts.
- HB 2379 Enacting the peer-to-peer vehicle sharing act to provide insurance, liability, recordkeeping and consumer protection requirements for peer-to-peer vehicle sharing.
- HB 2380 Amending healthcare stabilization fund minimum professional liability insurance coverage requirements and the membership of the board of governors of such fund.
- HB 2383 Providing for enhanced regulation of pharmacy benefits managers and requiring licensure rather than registration of such entities.
- HB 2388 Requiring health benefit plans to cover certain professional services when performed by pharmacists.
- H Sub SB 78 House Substitute for SB 78 by Committee on Insurance and Pensions - Updating the national insurance commissioners credit for insurance reinsurance model law, codifying the national insurance commissioners credit for reinsurance model regulation and updating certain terms and definitions relating to the insurance holding company act, service contracts and surplus lines insurance. Eliminating certain requirements relating to the annual submittal of certain documents by out-of-state risk retention groups, extending the time frame to submit certain documents by professional employer organizations, abolishing the utilization review advisory committee and replacing it with URAC.

### *Judiciary*

- Sub HB 2049 Substitute for HB 2049 by Committee on Judiciary - Prohibiting a public agency from charging a fee for records requested for an audit by the legislative division of post audit.
- HB 2075 Allowing venue for an adoption when the state is the agency to be where the state agency or its subcontracting agency has an office.
- HB 2076 Clarifying that bond agents seeking discharge as a surety are required to return the person released on bond to the court in the county where the complaint subject to the bond was filed.
- HB 2078 Suspending statutory speedy trial rights until May 1, 2024, in all criminal cases filed prior to the effective date of this act and eliminating such rights in any criminal case filed on or after the effective date of this act.
- HB 2079 Transferring duties concerning address confidentiality program (safe at home) from the secretary of state to the attorney general.
- HB 2080 Transferring duties concerning registration for charitable organizations from the secretary of state to the attorney general.
- HB 2082 Authorizing the crime victims compensation board to waive application time restrictions for a victim of a sexually violent crime to receive compensation for mental health counseling and adding certain children to the definition of victim.
- HB 2093 Increasing criminal penalties for fleeing or attempting to elude a police officer when operating a stolen vehicle and making fleeing or attempting to elude a police officer evidence of intent to commit theft of a vehicle.
- HB 2095 Allowing courts to prohibit possession of a firearm in a temporary custody order pursuant to the care and treatment act for mentally ill persons.

- HB 2096 Authorizing department of corrections employees, local correctional or detention officers, judicial branch employees, municipal court employees and administrative hearing officers to have identifying information restricted from public access on public websites that identify home addresses or home ownership.
- HB 2098 Allowing a court to change a spouse's name to a name that is different than a maiden or former name during a divorce proceeding.
- HB 2109 Increasing the county population threshold for a county to be required to have a lawyer representative, increasing the number of lawyer members and decreasing the number of non-lawyer members on the board of indigents' defense services.
- HB 2120 Removing the spousal exception from the crime of sexual battery.
- HB 2125 Allowing a copy of a will to be filed and admitted to probate and allowing a will or a copy of a will filed within six months after the death of the testator to be admitted to probate at any time.
- HB 2126 Providing immunity from civil liability for COVID-19 claims for adult care facilities.
- HB 2127 Requiring the department for children and families to release information to the public related to a child fatality caused by abuse or neglect when criminal charges are filed related to the fatality.
- HB 2152 Clarifying how property held under a transfer-on-death deed is distributed when one beneficiary predeceases the grantor.
- HB 2153 Increasing the criminal penalty for mistreatment of a dependent adult or elder person when the victim is a resident of an adult care home.
- HB 2154 Authorizing the department of education to contract with a private vendor to install and operate school bus cameras.
- HB 2189 Providing restrictions, lender reporting and other requirements for alternative small installment loans made under the UCCC.
- HB 2223 Amending the crimes of criminal sodomy and sexual battery to make certain conduct unlawful when the victim's consent was obtained through a knowing misrepresentation.
- HB 2226 Requiring certain criminal convictions to be expunged from an offender's record automatically.
- HB 2227 Allowing the chief justice to suspend certain time limitations during a state of local disaster emergency, allowing suspension of verification requirements, allowing use of electronic audio-visual communication to expeditiously resolve cases, and extending the chief justice's authority to suspend time limitations until June 1, 2022.
- HB 2228 Requiring law enforcement agencies to adopt a policy regarding submission of sexual assault evidence kits and allowing evidence collection at child advocacy centers or other facilities.
- HB 2229 Increasing the criminal penalties for multiple thefts of mail.
- HB 2264 Permitting student athletes at postsecondary educational institutions to receive compensation for the use of their name, image, likeness rights or athletic reputation.
- HB 2292 Creating exemptions in the open records act for cyber security assessments, plans and vulnerabilities.
- HB 2299 Allowing a search warrant to be executed within 10 days from the date of

- issuance.
- HB 2307 Expanding the definition of compensable personal injury in workers compensation law to include mental injuries suffered from physical injury, emotional shock or after a series of work-related events.
- HB 2308 Allowing investigations of child deaths by coroner before performing an autopsy.
- HB 2348 Modifying automobile insurance policy uninsured and underinsured motorist coverage liability limitations for bodily injury or death.
- HB 2356 Enacting the uniform partition of heirs property act to prescribe procedures and requirements for partition of certain real property.
- HB 2362 Modifying the elements of and making changes to the criminal penalties of abuse of a child.
- HB 2363 Authorizing the appointed counsel rate paid by the board of indigents' defense services to be higher than \$80 per hour.
- HB 2364 Defining torturing for the purposes of the crime of cruelty to animals.
- HB 2365 Providing immunity from criminal prosecution for possession of controlled substances or drug paraphernalia if seeking assistance related to substance use.
- HB 2366 Requiring prosecutors to disclose their intent to introduce testimony from a jailhouse witness and to forward information to the Kansas bureau of investigation.
- HB 2369 Extending the Kansas closed case task force and providing for staff assistance.
- HB 2375 Adding items to the the definitions of a knife and weapon for purposes of the crime of criminal possession of a weapon by a convicted felon.
- HB 2376 Requiring law enforcement agencies to adopt a policy relating to making arrests for violation of a protective order and procedures for separating suspects from the scene for a period of time.
- HB 2377 Revising the laws concerning driving under the influence, including authorizing reinstatement of a driver's license for certain persons with an ignition interlock device restriction, requiring persons with an ignition interlock device restriction to complete the ignition interlock device program before driving privileges are fully reinstated, providing for reduced ignition interlock device program costs for certain persons and modifying the criminal penalties for driving a commercial motor vehicle under the influence and driving under the influence.
- HB 2387 Revising laws relating to operating an aircraft under the influence, including prescribing criminal and administrative penalties and providing for testing of blood, breath, urine or other bodily substances, and preliminary screening tests of breath or oral fluid.
- HB 2389 Authorizing a notice to appear for unlawful possession of marijuana and defining complaint in the Kansas code of criminal procedure to include such notice to appear.
- HB 2390 Making permanent certain exceptions to the disclosure of public records under the open records act.
- HCR 5006 A constitutional amendment revising article 3, relating to the judiciary; placing the court of appeals into the constitution; and changing the nomination and appointment process for court of appeals judges to use the

existing process for supreme court justices.

H Sub for Sub

- SB 273 House Substitute for Substitute for SB 273 by Committee on Judiciary - Enacting the COVID-19 small business relief act to provide funds for impacted small businesses, create the COVID-19 small business relief fund of the legislative coordinating council and the COVID-19 small business relief claims board, require certain counties to establish and administer a county COVID-19 small business relief fund and certain cities to establish and administer a city COVID-19 small business relief fund, require a study by the legislative division of post audit and prohibit compensation for intangible losses related to the COVID-19 public health emergency under the Kansas emergency management act.

*K-12 Education Budget*

- HB 2067 Requiring the allocation of sufficient school district moneys to improve academic performance of underachieving students.
- HB 2068 Amending the tax credit for low income students scholarship program act to expand student eligibility.
- HB 2119 Creating the student empowerment act to provide an education savings account for students who are academically at-risk.
- Sub HB 2119 Substitute for HB 2119 by Committee on K-12 Education Budget – Making and concerning appropriations for the department of education for fiscal years ending June 30, 2021, June 30, 2022, and June 30, 2023, creating and expanding school choice programs, restricting remote learning and remote enrollment and extending the statewide property tax levy for schools.
- HB 2131 Making the high-density at-risk student weighting of the Kansas school equity and enhancement act permanent by removing the sunset provision.
- HB 2195 Holding reimbursing employers and other employers harmless for fraudulent unemployment insurance claims and reimbursing the unemployment insurance trust fund with moneys from the state general fund for improper benefits payments.
- HB 2240 Excluding U.S.D. No. 207, Fort Leavenworth, from the capital improvement state aid schedule.
- HB 2269 Amending the definition of an at-risk student in the Kansas school equity and enhancement act to require at-risk funding to be determined based on a poverty metric for certain students and proficiency metric for other students.
- HB 2287 Establishing the Kansas promise scholarship act to provide scholarships to students who attend postsecondary educational programs that correspond to high-need career fields.
- HB 2351 Providing liability protection for businesses, municipalities and educational institutions that participate in high school work-based learning programs and providing that schools are responsible for injuries to students participating in such programs.
- HB 2354 Providing public employees and professional employees certain rights with respect to withholding of public employee organization and professional employee organization dues.
- HB 2359 Establishing the nonproficient student weighting in the Kansas school equity and enhancement act.

- H Sub SB 63 House Substitute for SB 63 by Committee on K-12 Education Budget - Enacting the back to school act to require school districts to provide a full-time, in person attendance option for all students beginning March 31, 2021, for school year 2020-2021.

*Local Government*

- HB 2175 Creating the Dwayne Peaslee technical training center district.  
HB 2176 Clarify the vacation or exclusion of territory from city boundaries or release of easements.  
HB 2177 Providing for the dissolution of special districts and the assumption of responsibilities by a city or county.  
HB 2178 Vacating certain blocks in the original town plat set aside for a college and a park in the city of Americus and vesting fee simple title in the city.  
HB 2213 Requiring that purchases of property and construction of buildings by townships are subject to protest petition and election procedure.  
HB 2232 Limiting the maximum number of signatures required for certain municipal petitions for proposed ordinances and extending the effective period of such ordinances and providing for narrow construction of certain administrative ordinances.  
HB 2233 Enacting the municipal historic building act.

*Social Services Budget*

- HB 2382 Making appropriations for the Kansas department for aging and disability services to provide services to individuals waiting to receive intellectual or developmental disability home and community-based services; lapsing state foundation aid and authorizing school districts to expend unencumbered cash balances.

*Taxation*

- HB 2070 Allowing certain private not-for-profit postsecondary educational institutions to recoup credit card fees by permitting a surcharge for credit card transactions in the same manner as municipal universities, community colleges, technical colleges and vocational educational schools.  
HB 2091 Providing a refundable income tax credit for certain purchases of food and discontinuing the nonrefundable food sales tax credit.  
HB 2104 Modifying the sales tax exemption for construction materials by allowing certain educational institutions a sales tax exemption for purchases thereof.  
HB 2105 Establishing tax withholding requirements when certain employees work in multiple states.  
HB 2106 Extending the dates when corporate tax returns are required to be filed.  
HB 2130 Providing a tax lid exception for transportation construction projects.  
HB 2141 Increasing the Kansas standard deduction for income tax purposes.  
HB 2142 Providing for reimbursement of property taxes from county government for business shutdown or capacity limitation caused by the county.  
HB 2143 Making exemption permanent for certain cash rebates on sales or leases of new motor vehicles for sales tax purposes.  
HB 2148 Providing a sales tax exemption for purchases by gage park memorial, inc.  
HB 2173 Requiring marketplace facilitators to collect and remit sales, use, transient

- guest taxes and 911 fees from sales made through their platforms, providing nexus for certain retailers and removing click-through nexus provisions.
- HB 2185 Enacting the Kansas taxpayer protection act, requiring the signature and tax identification number of paid tax return preparers on income tax returns and authorizing actions to enjoin paid tax return preparers from engaging in certain conduct.
- HB 2186 Allowing single sales factor apportionment of business income for certain taxpayers.
- HB 2187 Enacting the first-time home buyer savings account act.
- HB 2225 Requiring marketplace facilitators to collect and remit sales and compensating use tax and providing nexus for certain retailers that make sales in Kansas.
- HB 2230 Imposing sales tax on digital property and subscription services.
- HB 2239 Extending the Kansas corporate income tax net operating loss carryforward.
- HB 2272 Delaying distribution of certain property taxes paid under protest and requiring certain information on protested or exempt property taxes to be provided to local taxing jurisdictions.
- HB 2273 Providing a sales tax exemption for active aging publishing, inc.
- HB 2314 Increasing the sales tax collection threshold for certain retailers and the required time frame for payment of tax and then discontinuing the prepayment of such tax.
- HB 2315 Providing a tax credit for contributions to technical colleges.
- HB 2316 Eliminating the prohibition of a surcharge when purchases are made with a credit or debit card.
- HB 2317 Providing a tax credit for expenditures for placing a qualified alternative-fuel fueling station into service.
- HB 2357 Establishing the property tax relief act and providing expiration of the selective assistance for effective relief credit and the homestead property tax refund.
- HB 2358 Providing a sales tax exemption for nonprofit integrated community care organizations.
- HB 2394 Increasing the amount of the research and development tax credit, expanding eligibility beyond corporate taxpayers and permitting transfer of the credit.
- HB 2395 Requiring marketplace facilitators to collect and remit sales and compensating use taxes, transient guest taxes and prepaid wireless 911 fees and providing nexus for certain retailers that make sales in Kansas.
- HB 2413 Providing a sales tax exemption for friends of hospice of Jefferson county.
- HB 2414 Eliminating the reduction of child day care assistance tax credit in subsequent years and limitations on eligible corporations and providing a credit for employer payments to organizations for child day care services access.
- HB 2418 Establishing an additional quarterly option for time of payment of property taxes for certain persons 65 years of age and older.
- HB 2420 Requiring prior year tax information to be included on the classification and appraised valuation notice.
- HB 2421 Providing income tax modifications for global intangible low-taxed income, business interest, capital contributions, FDIC premiums, business meals and payment protection program loans and expenses; expanding the expense

- deduction availability to income tax taxpayers and calculating the deduction amount; allowing an individual to itemize deductions in Kansas despite not itemizing on their federal return; and exempting from income compensation attributable to unemployment insurance ID fraud.
- HB 2423 Authorizing continuation of the 20 mill statewide property tax levy for schools and the exemption of a portion of residential property from such levy.
- HB 2428 Increasing rates of tax of cigarettes and tobacco products, establishing the cigarette and tobacco products cessation fund and providing for adjusted sales tax rate for food and food ingredients.
- HB 2431 Expanding the rural opportunity zone program by changing the definition of rural opportunity zone, expanding eligibility for program participants, adding down payment assistance as a benefit under such program, providing for a two-track program and establishing a new rural community building program option.
- HB 2432 Adjusting the rate of sales and compensating use tax on food and food ingredients and implementing additional formulaic adjustments to tax rate.
- HB 2437 Creating a state tax credit for family caregivers of disabled veterans.
- HB 2438 Allowing disabled veterans to receive a property tax exemption for up to two motor vehicles.
- HB 2440 Creating a property tax exemption for retired and disabled veterans.
- HB 2441 Providing for the award of compensation by a governmental entity commandeering or using property under the Kansas emergency management act.
- HB 2445 Providing for a property tax exemption for health clubs.
- HB 2446 Providing income tax modifications for global intangible low-taxed income, business interest, capital contributions, business meals and payment protection program loans and expenses, expanding the expense deduction availability to income tax taxpayers and calculating the deduction amount, exempting from income compensation attributable to unemployment insurance identity fraud, requiring marketplace facilitators to collect and remit sales, use, transient guest taxes and 911 fees from sales made through their platforms, providing nexus for certain retailers and removing click-through nexus provisions, imposing sales tax on digital property and subscription services, increasing the Kansas standard deduction for income tax purposes and providing a refundable income tax credit for certain purchases of food and discontinuing the nonrefundable food sales tax credit.
- HB 2447 Terminating the transfer of any remaining unencumbered amount in the securities act fee fund over \$50,000 to the state general fund.
- HB 2451 Directing that tobacco product manufacturer remittances be credited to the Kansas endowment for youth fund rather than deposited into escrow upon certification by the attorney general.
- HB 2452 Sourcing sales of motor vehicles to location of vehicle registration for sales and compensating use tax purposes.
- HCR 5016 Proposing a constitutional amendment to authorize the legislature to provide for the classification and taxation of all-terrain vehicles.
- H Sub SB 49 House Substitute for SB 49 by Committee on Taxation - Authorizing continuation of the 20 mill statewide property tax levy for schools and the

exemption of a portion of residential property from such levy.

*Transportation*

- HB 2164 Requiring drivers to proceed with due caution when passing stationary vehicles displaying hazard warning lights and providing a penalty for violation.
- HB 2165 Providing for all vehicles more than 35 years old to qualify as an antique vehicle.
- HB 2166 Providing for the Braden's Hope distinctive license plates and changing the requirements to begin production on distinctive license plates.
- Sub HB 2166 Substitute for HB 2166 by Committee on Transportation - Providing for the Braden's hope for childhood cancer, proud educator, delta sigma theta, Gadsden flag, love, Chloe foundation and alpha kappa alpha distinctive license plates and providing distinctive license plates for current and veteran members of the United States army, navy, marine corps, air force, coast guard and space force, modifying the requirements to begin production on distinctive license plates, requiring reporting by sponsoring organizations of distinctive license plates, allowing certain license plates issued by the division of vehicles to be personalized license plates and establishing a fee on firefighter distinctive license plates.
- HB 2167 Permitting concrete mixer trucks and requiring dump trucks to display license plates on the front of vehicles.
- HB 2168 Decreasing the plate commitment and cost requirement for new distinctive license plate production.
- HB 2169 Providing for the proud educator license distinctive license plate and decreasing the plate commitment prior to production.
- HB 2201 Decreasing the Eisenhower legacy transportation program alternate delivery project threshold, authorizing usage of federal stimulus funds and KDOT bonding authority.
- HB 2216 Establishing maximum towing rates and standard procedures for wrecker and towing services.
- HB 2217 Excluding the additional 90-day wait period and providing for the elimination and delay of payment for certain fees for restricted driving privileges.
- HB 2245 Permitting the division of vehicles to collect emergency contact information for registration purposes and permitting law enforcement agencies to use such information in the case of an emergency.
- HB 2246 Excluding air bags from the definition of cost of repairs for salvage vehicles.
- HB 2247 Designating a portion of K-67 highway as the COI Trenton J Brinkman memorial highway.
- HB 2263 Approving the operation and use of electric-assisted bicycles and regulating the use thereof.
- HB 2294 Requiring any individual or agency selling an abandoned or towed vehicle to acquire a certificate of title from the division of vehicles before the sale.
- HB 2295 Exempting municipal motor grader vehicle operators from Kansas uniform commercial drivers' license act requirements.
- HB 2296 Permitting the secretary of transportation to contract with the Kansas turnpike authority to enforce toll payments and permitting the secretary of

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- HB 2337 Creating a misdemeanor for causing an injury to a vulnerable road user.
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- H Sub SB 26 House Substitute for SB 26 by Committee on Transportation - Updating motor carrier laws and the regulation of motor carriers by the state corporation commission.
- H Sub SB 69 House Substitute for SB 69 by Committee on Transportation - Providing for the love, Chloe foundation distinctive license plate and establishing a fee on firefighter distinctive license plates.
- H Sub SB 99 House Substitute for SB 99 by Committee on Transportation - Increasing the bond amount required for a vehicle dealer license and providing for display show licenses under the vehicle dealers and manufacturers licensing act.
- H Sub SB 167 House Substitute for SB 167 by Committee on Transportation - Requiring drivers to yield the right-of-way and move over for authorized utility or telecommunication vehicles.

*Transportation and Public Safety Budget*

- HB 2270 Modifying the distribution of the levy on fire insurance business premiums to the state fire marshal fee fund, the emergency medical services operating fund and the fire service training program fund.

*Veterans and Military*

- HB 2313 Allowing Kansas national guard and reservist members who are in good standing to receive a property tax exemption for up to two motor vehicles.

*Water*

- HB 2172 Modifying water usage calculations and fees for multi-year flex accounts and permitting alternative base average water use calculations and prorated terms.

**Joint Committees**

*Joint Committee on Corrections and Juvenile Justice Oversight*

- SB 3 Creating a drug abuse treatment program for people on diversion and allowing county and district attorneys to enter into agreements with chief judges and community corrections for supervision.
- SB 4 Modifying the criminal penalties for unlawfully tampering with electronic monitoring equipment.
- SB 5 Aligning the felony loss thresholds for certain property crimes with theft.
- SB 6 Counting any crime with a domestic violence designation as a prior conviction under domestic battery.
- SB 7 Extending terminal medical release to inmates in the custody of the department of corrections with a condition likely to cause death within 120 days.
- SB 8 Increasing good time and program credits for certain offenders.

- HB 2026 Creating a drug abuse treatment program for people on diversion and allowing county and district attorneys to enter into agreements with chief judges and community corrections for supervision.
- HB 2027 Modifying the criminal penalties for unlawfully tampering with electronic monitoring equipment.
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*Joint Committee on Special Claims Against the State*

- SB 159 Paying certain claims against the state submitted by the joint committee on special claims against the state.

*Legislative Post Audit Committee*

- SB 16 Removing the requirement that certain entities submit certain reports to the division of post audit.
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- HB 2049 Prohibiting a public agency from charging a fee under the open records act for records requested for an audit by the legislative division of post audit.
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*Joint Committee on Pensions, Investments and Benefits*

- SB 86 Conforming certain KPERS provisions with the federal CARES act.
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